631 recognized over 100 chiefdoms, mustering anything from 100 to 3,000 adult men apiece.

Although no centralized political authority existed before the
769 German occupation, certain groups of chiefdoms joined in common
631 rituals directed to common ancestors. We traced four such centres of worship among the Nyakyusa; the most important being Lubaga, in the middle of the valley, where Kinga priests (from the top of the Livingstone mountains) join with many Nyakyusa chiefdoms in sacrifice to Lwembe, who is claimed as the ancestor both of the chiefs of the Nyakyusa proper, and of the Kinga. At LiKyala, on the Lake-shore plain, Kinga also join in sacrifice with the surrounding Nyakyusa chiefdoms. In Ngonde the chief connected with a similar centre of worship, Mbande, developed far-reaching secular as well as religious powers; and by the time the Europeans arrived he was established as a para-
[434] mount chief with the title of the Kyungu. This development was directly connected with the fact that Ngonde traded with the outside world, and that their Kyungu, through his control of ivory, was able also to control the guns and cloth which came into the country;[1] the Nyakyusa, remaining isolated, remained politically disunited.

Besides sacrificing to a distant ancestor in company with the representatives of a large group of chiefdoms, two or more chiefs who are neighbours participate in a sacrifice at the grave in which their common father, or grandfather, is buried. Thus common worship links both large groups of chiefdoms, whose chiefs are more or less distantly related, and small groups of contiguous chiefdoms whose chiefs are close kinsmen. The sacrifices made are to the chiefs of immediately preceding generations, and to certain great heroes of the distant past, such as Lwembe and Kyala.

769 All these sacrifices are believed to bring rain and fertility, for
769 the well-being of each chiefdom is thought to be bound up with
789 the health of the chief and the goodwill of his ancestors.

The Nyakyusa are all agreed that their chiefs, *abanyafyale*, are
175 'strangers' who came down from the Livingstone mountains
632 eight or ten generations ago, and found the valley already occupied
563 by people who had no knowledge of fire, but ate their food raw. The chiefs brought fire with them—some say, cattle also;

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[1] Godfrey Wilson, op. cit., pp. 2, 32-48.

and by virtue of this great benefit were accepted as chiefs. Such 173
is the myth (*vide infra*, p. 26). It is remembered that the chiefs 622
of different groups such as the Nyakyusa proper, the Kukwe, the
Lugulu, and the Saku arrived at different times, but of the pro- 563
portion of the immigrants to the former occupants, and of the
proportion of men to women in the invading groups, we learn
nothing. Some suggest that the chiefs were lighter in colour than
the previous inhabitants of the valley,[1] and the term *abatitu*,
'black people', is used for commoners as contrasted with chiefs.
But chiefs intermarry freely with commoners and there is no 563
observable difference in physical type between them and their 622
people to-day. The Nyakyusa are without a clan system, and [561]
though kinship with a chief may be remembered for three (or
perhaps even four) generations, the body of 'kinsmen of the
chief' is not defined as it is in tribes which have a 'royal clan' like
the Bemba or Pondo. Moreover, among the Nyakyusa the chief's [622]
advisers are never his kinsmen, but commoners. Sons or grand-
sons of a chief are ineligible as village headmen, who are the
councillors of the chief, and who had in the past very great con-
trol over him. The contrast is made between chiefs, *abanyafyale*,
on the one hand, and commoners, *amafumu*, on the other, and the
leaders of villages, chosen each generation by their predecessors
(*vide infra*, p. 23), are the *amafumu par excellence*.[2] Words
from this *-fumu* root mean 'chief' in various central Bantu
languages (Bemba, Tumbuka, Nyanja); and it is tempting to
suppose that the *amafumu* were the old chiefs conquered by the
invading *abanyafyale*, but that is only a supposition. The import-
ant point for the contemporary social structure is that the village
leaders are *commoners*; that their position is not hereditary, since
they are selected afresh each generation; and that formerly they
had very great power over the chief. This power has diminished
considerably with the development of European administration.
The Nyakyusa, indeed, were astounded to be told that the British

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[1] cf. Godfrey Wilson, op. cit., p. 10 (footnote).

[2] For this reason *ulifumu* was translated by Godfrey Wilson as 'great commoner', in 'An Introduction to Nyakyusa Society', *Bantu Studies*, Vol. X (1936), and other papers, but this translation has considerable difficulties, and I have preferred to translate *ulifumu* as 'village headman' in the contexts in which it means the leader of the village, and 'commoner' or 'villager' in other contexts. It must be clearly understood that 'village headman' as used in this book means something quite different from 'headman' as used by the Administration (*vide infra*, p. 158).

[56] constitution (about which they asked many questions) was a
62 democratic one; for, they said, the Administration always supported the chiefs against the commoners.

621 The villages to which commoner leaders are appointed differ from all other Bantu villages of which we have knowledge in that they consist of groups of age-mates, not groups of kinsmen; boys build with contemporaries and remain with them through life; girls join the villages of their husbands at marriage; therefore relatives, other than husband and wife and young children, do
622 not live together. Nevertheless kinship ties are important, for property circulates within the kinship group rather than within the village, and kinsmen are believed to be mystically interdependent, in a way in which fellow villagers are not. The most prized
[556] possession of the Nyakyusa are cattle, for cattle enable a man to marry, to live in comfort, to gain prestige by feasting his friends; and cattle pass along the roads of kinship. They pass between brothers, and half-brothers, and the sons of brothers; between fathers and sons; and between affines. Kinsmen also participate in common rituals, praying to common ancestors, and seeking protection from mystical dangers which are thought to travel, like
[578] cattle, along the roads of kinship. Ever fearful lest a quarrel among them should bring misfortune on all, they strive to live in harmony.

The range of kinship recognized varies somewhat with the status of the family concerned and the proximity and personalities of its members, but, generally speaking, economic and religious co-operation link the descendants of a common grandfather, and marriage between the descendants of a common great-grand-
[591] father is excluded. A legal marriage is effected by the passage of cattle from the groom's group to the bride's, and it is this passage which is said to create kinship (*ubukamu*), with the consequent mystical interdependence, between a man and his wife, and between the one partner in a marriage and the close kinsmen of
595 the other. Polygyny is the ideal of every pagan, and it is made possible by the ten years' difference in the average marriage age
628 of men and women. Girls are betrothed very young and finally join their husbands at puberty, while few pagan men marry under twenty-five. Inherited cattle are controlled by the older generation and polygyny is the prerogative of age. For property passes not directly from father to son, but from brother to brother,

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584 still cultivates his father's fields and eats at his father's home. In former days, we were told, the marriage age of men was even later than it is at present (*vide infra*, p. [illegible]). 'Perhaps after twenty a boy would be betrothed, but to a young girl, and he would wait eight years before she grew up.'

857 From the time boys begin to herd they recognize one of their number as a leader. 'When we herd cows as boys', a friend told us, 'there is always one who is obeyed by his fellows whatever he says. No one chooses him, he gains his leadership and his prestige by bodily strength. For always, when we are boys together among the cows, we vie with one another and dispute about going to turn back straying cattle, or about fetching fire to cook the food we have brought with us. And so we start fighting, and we go on fighting until one of us beats all his fellows completely and so becomes the leader. And then it is he who sends others to turn back straying cattle, to fetch fire and to collect firewood. And he is greatly respected. He settles quarrels too. What we quarrel about most as boys is a particular insult: one says to another: "You are only a child, you are, I am your senior." This is always happening and then it is the part of the one who is leader to set those two on to fight. We all stand round and watch and the one who first cries is proved the child.'

● 622 Later, when the boys have built apart from their fathers, one of their number is often appointed by the headman of their fathers' village to settle disputes between them. Some boys' villages have no such appointed leader, but many of them do. Such appointments are, however, temporary. It is only when political authority is transferred to their generation that the young men's permanent leaders are chosen.

3. *The 'coming out' ceremony*

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643 Eight or ten years after the young men of the senior boys' village of the chiefdom have begun to marry, their fathers hand over the government of the country to them. This transfer of authority is effected in an elaborate ceremony called the 'coming out' (*ubusoka*).

The 'coming out' is a series of legal acts by which the country of an old chief and his village headmen (*amafumu*) is, with certain reservations, handed over into the possession and control of his

two senior sons and their respective village headmen. These legal 561
acts are accompanied by much pomp and ceremony. It is at once 622●
the initiation of all the youth of the chiefdom into public life, the
constitution of two new political units and the proclamation of 621
two new chiefs. It consists not only of a series of legal acts but of 643
religious ritual as well, action being taken to increase the personal qualities appropriate in a chief and his village headmen by treatment with medicines.

The 'coming out' comprises six main events: firstly, the public recognition of a number of age-villages of young men, and the selection of headmen to lead them; secondly, the magical treatment of young chiefs and headmen to make them dignified and powerful; thirdly, the public recognition of the two young chiefs; fourthly, a cattle raid; fifthly, the establishment of the young age-villages on adequate land; and sixthly, the marriage of the young chiefs.

When the eldest sons of his contemporaries reach the age of about thirty-three to thirty-five years the old chief is approached by his village headmen who say: 'The sons have grown up, let us make the "coming out" for them.' After a period of delay, for he is unwilling to relinquish his own honour and power, the old chief agrees, and the 'coming out' takes place. He fears lest he may fall ill from 'the breath of men' should he delay too long (*vide infra*, p. 134). His two heirs, together with all the boys and young men, whether married or single, who are sons of the old chief's contemporaries, are summoned to attend, according to their age-villages, at the old chief's principal house. When they arrive they wait there for several days, while the old village headmen discuss with their chief where to give the young men land, and whom they will select as headmen of the young villages. In many of the young village groups there are already leaders previously appointed by the village headmen of their fathers. If they have proved satisfactory their appointments are confirmed by the old village headmen; if not new ones are selected.

In selecting leaders of the young men's villages the old head- 622
men look for men who are wealthy, who come from respected 157
families, who have ability in judging cases, and are popular with their fellows; in the old days they looked also for courage and the ability to lead men in war. These qualities correspond to the village headman's functions. He should be hospitable to his

● 622 neighbours, he judges their cases; he is their leader at ceremonies
157 and in the old days he led them to war also. He represents their desires to the chief, and it is through him, and in consultation with him, that the chief gives orders. Besides this each headman
[158] (*ulifumu*) is believed to protect his own villagers from witchcraft, 'to watch over the country by night', to shield men and cattle from the spiritual forces of evil.[1] To fit them for this task, village headmen are treated with medicines at the 'coming out' to give them the power of seeing and fighting witches.

623 So important is this position of village headman that legal precautions are taken 'to prevent the village headman becoming a chief', as several informants have put it to us. It is illegal to choose a village headman from among the kinsmen of a chief, and it is illegal to elect the son of a village headman to that office in any age-village of his own contemporaries, though he may perhaps inherit the position in his father's village when his father dies.

622 To return to the 'coming out' ceremony: when the old men
621 have made up their minds, one of them goes among the crowd of young men, and catches hold of those they have chosen in order of seniority: first the one who is to be leader of the senior village of the first son of the old chief, then the leader of the senior village of his second son, then the leader of the next senior village of the first son, and so on. There are commonly eight age-villages of young men; of these four will belong to the chiefdom of the first son, four to that of the second. The eight new village headmen are now publicly known, four in each new chiefdom.

622 The young chiefs, together with the senior headman of each,
789 are then treated with medicines that they may be impressive
643 (*isisya*). From birth a chief undergoes periodical treatment to make him impressive (*isisya*) 'that we commoners may tremble before him'. The treatment at the 'coming out' is directed towards the same end: 'We treat him, then he will be altogether a chief, men will respect him!' The village headmen now drink the

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[173] [1] The essential meaning of a word in one culture is often illuminated by the meaning of a word from the same stem among neighbouring people. In this connection it is significant that *ifumu* in Bemba and *mfumu* in Nyanja mean 'chief', but in Bemba *abafumu* means 'magicians' (including diviners) (*African Political Systems*, p. 129), and among the Bakwena *bafumu* is used in the same sense (*Africa*, Vol. XIX, p. 10); cf. H. H. Johnston, *A Comparative Study of the Bantu and Semi-Bantu Languages*, Vol. II, p. 270.

medicines of power for the first time, and these are thought to create or develop in them *amanga*, that is, the power of seeing and fighting witches (*vide infra*, pp. 96–102). To the senior headman of each young chief is handed a magic horn to attract people to the country. 'The horn is the luck of the chief that many people may come to build.' To each is given also a magic tail, which, it is believed, will enable him to dream of wars that are approaching and which, together with a magic spear, he carries into battle. 'The spear of the chieftainship is to fight battles with, it is manhood, strength.' The horn, the tail, and the spear are emblems of office handed on by the senior village headman of the old chief to the senior headmen of the young chiefs. They were treated periodically by a special doctor and a set was provided for each independent chiefdom at the coming out. The treatment of these emblems is now rarely undertaken—we were fortunate to see it once. The Nyakyusa say that since the country has been pacified, it has become unnecessary; its purpose was to secure success in war. 622 789 643

The next stage in the action is the one from which the whole institution takes its name: 'the coming out' (*ubusoka*). The two young chiefs are secluded for a few hours in the hut of the old chief's first wife, where they receive various forms of magical treatment, and when this is finished someone outside knocks at the door and cries 'Come out!' Then, to quote the words of a village headman who told us about his own 'coming out', 'The director of ceremonies said: "Get up!" The chiefs got up and came out (*basokile*)[1] of the house to us, and we, the crowd of young men, cried "Come on!" and welcomed them. Then we all ran shouting and calling the war cry towards the next chiefdom. In the old days we should have invaded that country to take cattle and to bring them back and eat them at the new huts which we build next. But that is finished now.' The senior headmen of the new chiefdom lead the charge, each grasping his war tail, his 629 643

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[1] cf. the traditional Nyakyusa greeting (now archaic) '*Basokile*' (literally meaning 'You have come out (of the house)' i.e. 'Good morning!' This greeting was not confined to those who had been through the *ubusoka* ceremony. [576]

A comparison of the meaning of the root in other Bantu languages is quite suggestive. In Xhosa *ukusoka* means 'to install circumcised lads into manhood by giving them presents when they come out from their seclusion and are publicly acknowledged as men by the assembly of men' (Kropf, *A Kaffir-English Dictionary*); *isoka* means bachelorhood, soldiery (of a circumcised man, not a boy). [172]

622 spear, and magic horn. In this way the new chiefs are shown to
643 their people.

Chiefs who are to be independent now separate, each moving
622 off with his men to the place where the senior age-village of that
372 chiefdom will eventually be built. All fire in the country is extinguished, even the fires in the homesteads of the old men, and
621 in each of the new independent chiefdoms new fire is made,
643 ceremonially, by the senior headman of the chiefdom and his fellow next in rank. One holds a lion-bone while the other twirls a medicated stick in a groove in the bone. The senior headman and his second each gives fire to the village headman immediately junior to him, and then the latter in turn to his immediate junior, until each of the headmen has fire. At this point the future division of each new chiefdom is foreshadowed, for the second senior headman in each new chiefdom is recognized as the leader of one side of the country. As each village headman lights his fire he calls: 'Come men of such and such a village to me!' and they take fire from him.

643 Since we are not primarily concerned with symbolism in this
373 book we shall not enter at length into the interpretation of these
773 events.* It must suffice to remind our readers of the Nyakyusa myth that their chiefs came down from the Livingstone mountains ten generations ago bringing fire with them, and that they found the previous inhabitants of the valley, who became their subjects, without fire, and eating their food raw. The extinguishing of the old fires and lighting of new is interpreted by the Nyakyusa as a symbol of the new chieftainship. A chief with whom we were well acquainted explained it thus: 'The fire is the fire of lordship (*[illegible]*). The old chieftainship is coming to an end, the new has come. They extinguish the fires in all the homes, those of the young men and those of the old men, then they make new fire which is taken to every home. For formerly Mwangomile [the old chief] would have had little power [after the 'coming out'], Mwakyusa and [illegible] [his sons] would have ruled.' But why fire? we asked. 'Because of old,' they relate, 'we chiefs came with fire, the commoners had not yet got it, they ate raw food only. When we came we slept in men's houses and we made fire and cooked food. Men were astonished, and said:

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* A full analysis of the symbolism of one ritual necessitates a comparison of all the rituals of the society, which will be made in another book.

[illegible]) and their eldest sons are his two heirs in the chieftainship. Young girls, daughters of neighbouring chiefs, are carried off with a show of force from their fathers' houses, by the young chief's men, who themselves later contribute to the herd of cows sent to regularize the position. The two great wives are thus married not solely with the cows of their husband, but also with those of the men whose sons their sons will one day rule. The duty of arranging the match lies with the village headmen of the old chief, and it is said that they are often guided in their choice by dreams. 643 583 585 [633]

The girls who are carried off are just about to reach puberty, and they stay at the house of one of the men of the old chief until their periods begin. When both have reached puberty they are initiated, not at their fathers' houses, as are ordinary girls, but in the country of their husband, and both together. At their initiation the old men and women of the country (contemporaries of the old retiring chief) play the part normally played by a girl's parents and their neighbours, while the young chief and his men take the usual part of a husband and his friends. And then, after the ceremonies are over, the two girls are given to the young chief as his wives. Houses are built for them separately, i.e. in the senior age-village of the new chiefdom for the first wife, in the next senior village for the second wife; and in this separation of dwelling place is already apparent the future division of the chiefdom between their sons. 643 583 585 881

Within the chiefdom, and among the wives and children of the chief two 'sides' ([illegible]) are recognized. Usually, in each country there are, at its beginning, at least two age-villages and half the wives of the chief on either side. This distinction of two sides is important in succession, a son from each side eventually inheriting half the country. 623 614

From the time of the 'coming out' of the two young chiefs till the day of their own father's death there exists between him and them a delicate balance of prestige and power. Each of the three, traditionally, has judicial authority in his own age-villages, but appeals in difficult cases may be taken from either of the young chiefs and their village headmen to the old chief and his village headmen, while the religious duties of chieftainship are exercised entirely by the old chief. But in the old days it was the young chief who fought and led men. 'Young chiefs used to lead their 643 662

643 men to funerals in other countries and start a fight, and raid
642 cattle. The old chief would say: "I am too old to lead people to war and to funerals, and to feed men, I have no cattle, you have the power to do these things now." It was the lusty young men (*[illegible]*) who fought, not the old men.'

643 Formerly this transition period rarely lasted long, for the old chief usually died shortly after the 'coming out' of his sons. Success in war and probably also the fertility of the country were believed to be dependent upon the virility of the chief. As one informant put it: 'The old chiefs died because there was war: the people would complain of an old chief saying: "He is too old, when we fight we are beaten, he had better die. Perhaps the young chief will help us."' The old chief's death was commonly interpreted as due to 'the breath' (*vide infra*, p. 101) of his people who loved his sons rather than himself, but we have evidence that chiefs were sometimes ceremonially strangled by their village headmen. Nowadays many chiefs survive for years after the 'coming out' of their sons, and relations between the generations are consequently complicated, as we shall see later.

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792 At the death of the old chief control of the villages of old men passes to the two young chiefs and their village headmen, half to each side. Village headmen of the old chief, relinquishing most of their secular functions to their successors, enter upon new religious duties as priests in the sacrifices to the chief who has just died, and this priesthood they hand on to their sons. The dead chief's full brother is still the religious head of both chiefdoms, but all the secular functions are now exercised by the young chiefs, each in his own country. And the religious functions also fall to them when all their father's full brothers are dead.

The 'coming out' ceremony has been described in some detail, for it is the occasion when chiefdoms and villages are formally established, and the future relations between them are made clear. The splitting of the old chiefdom into two independent halves; the division of every new chiefdom into two sides, each under a senior headman; the boundaries, membership, and relations of the age-villages within each side—all are defined at this ceremony. In the catching hold of the village headmen, and in the making of fire, the relative status of leaders and villages and the membership of each village are shown. In the planting of the ritual trees on the boundary between the two sides of the country, and the establishment of the mother of an heir in each, the future division of the country is foreshadowed. Finally, it is the occasion on which power is formally handed over to the younger generation, and the success of the new headmen as war leaders is put to the test.

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c. Relations between villages within one chiefdom

Within each chiefdom, then, there are two sides, each under a senior headman. On each side are two or more age-villages of contemporaries of the chief—men of the ruling generation. Attached to these villages are boys' villages made up of the younger brothers and sons of contemporaries of the chief. They live separately from their fathers and may have their own village leaders, but legally each boys' village is subject to the authority of the headman of its parent village. On each side there are also two or more villages of old men, contemporaries of the chief's father, whose headmen have ritual functions. Each village established at a 'coming out' ceremony has considerable autonomy under its own headman, but it is subject to the senior headman of the side it belongs to in two ways: cases not settled by a village headman go to the senior headman of the side, and a senior headman leads the villages of his side in war and communal hunts. Even villages of old men are subject to the authority of the senior headman of the ruling generation on the side of the country where they live. Boys and young men of the generation which had not yet 'come out' used to fight and hunt as village groups under the leadership of the senior headman (of their fathers' generation) on the side of the country to which they belonged. Whether or not each boys' village was also subject in war and chase, as in legal disputes, to the authority of the headman of its parent village is not clear. Certainly each boys' village formed a defined segment within any larger group.

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To recapitulate, there are always villages of three generations in existence—those of contemporaries of the late chief, the headmen of which have ritual functions; those of mature men, contemporaries of the ruling chief, whose headmen have administrative and military functions; and those of boys and young men, contemporaries of the heir, who have not yet 'come out', and who fight under the leadership of their fathers' senior headman.

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Sometimes, as we shall see presently, villages of a fourth generation exist also.

Each age-grade, or generation, covers a span of 30 to 35 years, and each village comprises an age-set with a span of 5 to 8 years, though this is longer in sub-chiefdoms (*vide infra*, p. 37). The average age of members in each grade varies with the date of the last 'coming out' ceremony. Just before the ceremony the elders with ritual functions are those over 65 or 70; the mature men of the ruling generation those between 33 and 65; and the 'boys' who have not yet come out, those between 10 and 33. Just after the ceremony the ruling generation consists of those between about 10 and 33, anyone over 33 being an elder. Those just too young to participate in one 'coming out' may be just too old to participate in the next. The village of Katumba in Mwaipopo's country was in this position: it had been created after the 'coming out' of the young chief Mwandaga, but informants were uncertain whether or not it would be established as a separate village at the 'coming out' of his heir Mwakyoile (*vide* Document, p. 183).

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The two senior headmen of a new chiefdom are chosen from the two senior villages established at a 'coming out' ceremony, so that a commoner's chance of holding high office is greatest when he is just a little older than a chief's heirs. The senior village of one generation begets the senior villages of the next (*vide* Document, pp. 180-3). Thus, though the son of a village headman in one generation cannot become a village headman in the succeeding generation, there is a tendency for leadership within the chiefdom to pass from one *group* of men to their sons. Those who participate in a 'coming out' while very young tend to have least authority in the country, and are superseded when still under forty by the generation of their sons. The immediate contemporaries of a chief, i.e. those with whom he lives during boyhood, have a special bond with him all through life; and it may sometimes happen that when a chief dies young and is replaced by a brother (his own son being too young to inherit) a junior village comes into prominence because its members have been 'the companions' of the new chief. Bulindamaja in Mwaipopo's country was a village of this kind: Mwaipopo I had died young, and was succeeded by his brother Mwaipopo II ('Mwandosya') who had 'come out' as a youth in Bulindamaja; and his immediate contemporaries from that village maintained a special bond with him.

1: Wilson E-5 (1934-1938) 1951 FN17 Ngonde FN17
Nyakyusa

decided by the old village headmen and chief in consultation, at the commencement of the 'coming out' ceremony. This moving aside of the old men is an essential part of the ceremony and occurs even when there is unoccupied land available. For example, at the 'coming out' of [illegible], Mwaipopo's heir, the old men moved aside to make room for their sons, although there is a large area of unoccupied land in the chiefdom, which is slowly being colonized by Mwaipopo's men. {423}

Although the main redistribution is at the 'coming out', later readjustments are common enough. If a particular man's village attracts many members, and those members become wealthy in wives and children, then it may be necessary for the old men to move aside a second time, to make yet more room for their sons. The senior headman of the side of the chiefdom concerned, in consultation with the chief and other village headmen, has the power to make equitable adjustments in the land holdings of the villages of his side. We watched one village, whose numbers had diminished, being moved to make more room for a junior one which had flourished. But so long as its members remain together, a village retains its name and identity, though its site may be moved more than once. 'A village', the Nyakyusa say, 'consists in men, not in land.' 621 {423} [[623]]

Boundary disputes between villages of a chiefdom are not unusual. In the old days these often led to war. Nowadays they are taken before the Court, whence there is an appeal to the federal court, the District Officer, the Provincial Commissioner and thence to the High Court (cf. p. [illegible]). One such case, which we observed, had dragged on for years because the chief concerned, who happened to be president of the Court, feared to give judgment lest he be bewitched by the village which lost the case (cf. Document p. [illegible]). {691}

The division of the land allotted to each village lies with the members of that village, under the leadership of their own headman. The village headman himself, and other prominent individuals in the group, get first choice of sites: a son does not have a prescriptive right to the building site and gardens of his father when the old men move aside for their sons. 'If you are prominent, and you like your father's old site, that's all right, the others agree; but if you are unimportant ("light"), no; one of the important men takes it; you have no power.' Certain building and garden [illegible]

241 476 To these come some of a man's village-mates and male relatives or special friends from other villages, as well as his sons and sons-in-law with their village-mates. At one such party we noted in the morning eight helpers, of which six were men, two being classificatory brothers of the owner and four of them friends. There were also two young sons of the owner working. In the afternoon a son-in-law came with a party of his village-mates. Such hoeing parties are not the concern of the whole village. Only those who have been specially invited, or very close friends of the owner of the field, come (the number usually ranging between ten and twenty), and some of those invited may be from other villages. It is difficult for one to whom an invitation has been sent to refuse. After work the guests are feasted. Traditionally they were given milk with bananas or beans (a prized food), but nowadays beer is expected. For the party noted above two pots of beer were provided, one being given to the older men and the other to the son-in-law with his friends. Christians, many of whom are forbidden to brew beer, provide meat, rice, or milk—all much prized foods. Possibly the proportion of men attending this type of work party has diminished as opportunity for paid employment has increased—we have no certain evidence.

Mutual assistance in cultivation turns on kinship and personal friendship: all the members of a village or a village-section are not obliged to work with a neighbour. But it is insisted that neighbours should keep in step with one another in cultivation. It will be remembered that their garden-lands are together, and each year different types of garden are hoed by groups of villagers—millet, cow-peas, and pumpkins in one place, potatoes in another, maize and beans in another, so that while the gardens of one particular household are scattered, each crop is in one or two blocks. Neighbours cultivating the same crop in adjoining fields should, according to Nyakyusa ideas, begin each process in cultivation together, and the whole village should keep in step. As one informant put it, 'in hoeing and planting one must be neither ahead of nor behind one's neighbours'.

241 476 [illegible] The idea reaches its furthest development among the Kukwe in regard to those crops planted with the first rains, namely, finger millet, cow-peas, and pumpkins. Traditionally, no Kukwe man might begin to clear ground for these crops until his village headman had begun, or, if he lived in the village of a chief or in

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622 an immediately adjoining village, until his chief had begun. Members of other villages do not regard the chief, but wait only for their village headman to begin. Within the family, junior wives must follow senior wives, but there is no precedence between brothers. If two should live in the same village it does not matter which begins sowing first, provided both follow the leader, nor need a junior age-village wait on a senior one to begin. Not only must the headman of the village begin the clearing, but each process in cultivation must be initiated by him or his senior wife; thus clearing, raking, burning, planting, and reaping, are ceremonially begun, and the wife of the headman should be the first to wash her millet, and be the first to eat of the new crop. Further, once a process is initiated, the villagers should press on with their tasks so that all may finish about the same time.

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[312] Now the cultivation of millet, cow-peas, and pumpkins[1] is peculiar in that the weeds and grass are not turned in for green manure, as they are for all other crops (except rice), but are collected in heaps and burnt, just before the rains break at the end of the dry season. And the fire for this must be lighted ritually by the headman of the village. Using fire-sticks and 'medicine of plenty' (*unkota gwa ifiga*[2]) bought by the Kukwe from the Sangu people, he ignites a special fire in his own field and then, if a great wife of the chief lives in the village, he lights the heaps in her field. All the members of the village take fire from him, or from the field of the chief's wife. To take fire from a house is forbidden, because the owner of the house from which it is taken may be a witch, who will rot the heaps so that the millet does not grow, or will not ripen. Roasting food on a burning heap, or taking a brand to light tobacco is likewise forbidden, lest the person who does so has medicine which will rot the millet.

241 It is thought that if one breaks the rule, beginning a process before the headman, the fields of all the other villagers will suffer. 'If men hoe higgledy piggledy the food in their gardens does not grow, and if they reap higgledy piggledy the yield from all the

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[1] Some Kukwe held that these rules about cultivation applied also to maize and to an old root crop, [illegible], but the most reliable informants were agreed that the rule was only strictly enforced with regard to the three crops planted 'at the break of the rains, in the new year'.

[2] 'A village headman, *ugwa ifiga*, is one who drives off witches and protects the food.'

754 627 plained: 'The men of the village cut a banana stem and wrap banana leaves round it, and go at night and put it in front of his door; they also pull some of the thatching off the roof and put it with the banana stem. They do this without ever accusing him to his face of being a witch. Then, in the morning, when others pass by, they notice and say to each other: "See, he has been caught, he is a witch!" In the fields men will call out to one another, saying: "Have you heard? So and so has been caught as a witch?" They will call out where he can hear them, and he cannot stand it. He will go away to another chief.'

Instead of using a banana stem his neighbours may barricade his doorway with thorns while he is out. 'This symbolizes', Mwaikambo said, 'that we (your neighbours) wish to spear you; because, if you try to pass, the thorns will spear you. But we have left you, get out!' Or, as another informant explained: 'The thorns are the hearts of men, symbolizing that the men are all angry.' Occasionally, it is said, a brave man will clear away the thorns and remain, but his neighbours whisper about it and later on they will barricade his doorway again, and he will move. Placing the banana stem, or the thorns, is a joint action by the neighbours—should an individual do it on his own his neighbours will bring a charge against him. One informant suggested that the procedure is a new one developed to avoid making a direct accusation of witchcraft, which is a punishable offence under European administration; but this is doubtful.

622 627 754 The following case illustrates not only the practice of barricading the doorway of a supposed witch, but also the responsibility of headmen for the defence of the village, together with the belief that a witch may throttle his own child. 'Nsekela was an assistant headman in the village of Mwambuputa, appointed by Mwambuputa himself. Nsekela's child cried by night and Mwambuputa was angry with him because he did not report the matter. "Why did you not tell me that your child was ill here? Why do you hide it? Indeed you are bad, it is you who are making the child ill, get out of our country!" Nsekela watched over a village-section, he was Mwambuputa's assistant, therefore it was that Mwambuputa said: "Why do you hide the fact that your child is ill here, you my assistant? Indeed you have bewitched it yourself." Nsekela denied the charge saying: "It is not I. No!" Then he went away to Selika about a case. While he was away his neighbours

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barricaded his doorway with thorns. On his return he found 627
them, and he moved to Mwaihojo's country (the adjoining 754
chiefdom).'

Often an accusation of witchcraft is made without resort to 787
divination at all: the behaviour of the accused (as in the cases
quoted on pp. 110–13) or the word of 'the defender', is taken 754
as evidence. But if there is doubt as to the identity of the witch, 627
the patient or his family may consult a diviner (*undagusi*),[1] putting
before him the names of persons they suspect. Whatever the 695
grounds of accusation, however, it was normally confirmed by the *umwafi* ordeal, if the accused did not admit guilt. The chief might order a suspect to go to the ordeal, or a man or woman accused by his neighbours would appeal to the ordeal, when denying the charge. In such a case the accuser and accused first went to the chief to report and get official witnesses, then, accompanied by these witnesses and other friends, they went to a doctor who had a store of a certain medicine, *umwafi*, and there, at his homestead, they drank the *umwafi* together. Those who failed to vomit were judged guilty. The procedure was described by a number of witnesses (*vide* Documents, pp. 241–6). The accuser and the accused, each accompanied by supporters, go to the doctor, who warns them not to drink if what they have said is false. The doctor sprinkles powder into tepid water and gives the accuser and the accused the infusion to drink. He addresses the *umwafi*, and the supporters address each their own friend. Then, when one vomits his (or her) supporters applaud trilling,[2] [2-01]
and they go home, the man who vomited paying the doctor. Mwandesi described how after one of the two had vomited the other would sit tense and miserable, quite still. He would be left alone awhile, but later the doctor would try to make him bring up the poison: 'Should a man die?' they said. Only rarely, it seems, did anyone die of drinking *umwafi*.

If the accuser failed to vomit he was judged guilty of witch- 754
craft himself; if neither vomited both were judged guilty; if both 627
vomited the accuser was fined, paying two or more cows to the
accused in compensation for slander. If he had no cows he might 695
give a girl in marriage.

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[1] *For the methods of divination see* Godfrey Wilson 'An African Morality', *Africa*, Vol. IX (1936), p. 80.

[2] A high-pitched ulu-ulu-ulu expressing praise and triumph.

objection to marrying the child of one who has been convicted is clearly not pushed to its logical conclusion. No slur is cast on any one lineage when an individual is convicted of witchcraft, for he may have inherited it from either parent, or even got it from a friend; conversely no lineage is cleared by an autopsy, for not all the children of a witch are necessarily witches. Thus a man may have a father or brother or son who is 'pure', yet be a witch himself. As we have seen, even persons belonging to the same lineage may occasionally accuse each other. Nevertheless, when an individual who is reputed to be a witch dies, the close relatives do sometimes insist on an autopsy, in order to clear the deceased of suspicion, and possibly themselves also (*vide supra*, p. 117). In one case we recorded it was a daughter who insisted on the autopsy being performed on her mother, a reputed witch. No witchcraft was found. 754 591 582 [763]

So far we have dealt with cases of misfortune befalling an individual, followed by action against a fellow villager who is suspected of being responsible. This type of case is far the commonest within the field of witchcraft. When a general misfortune, such as a plague or epidemic threatens, the chiefdom acts as a whole, not the villages separately, and the ritual is directed primarily to securing the blessing of the shades. There is some suggestion of ridding the chiefdom of witchcraft at the same time, but the emphasis is on appeasing the ancestors. The traditional new year cleansing (*[illegible]*), now rarely performed, was also the concern of chiefdoms not separate villages, and it involved prayer to the ancestors. 754 763 769

b. The age-village and the ancestors

We have dwelt at length on witchcraft and 'the breath of men', for, in Nyakyusa belief, the defence of the village against witches and the punishment of wrong-doers by 'the breath' of their fellows is the main corporate activity of the village in the religious sphere. There are no village rituals directed to the ancestors comparable to those performed on behalf of lineages and chiefdoms. Indeed, belief in the power of shades operates only in situations where social position is determined by descent, as it is in lineages and in the succession to chieftainship. The office of village headman is not hereditary. The son of a village headman 621 769 622

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cannot be appointed as headman in any village of his own generation, and villages of past generations disappear. When a headman dies, his village still being in existence, his place is taken by his heir who may be a son, but this office is only temporary. The village ceases to exist when its original members die off. Moreover, there is no suggestion that the shade of a headman's father broods over the village as the shade of a chief is thought to brood over the land he ruled.

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The Nyakyusa have a lively belief in the power of shades, a belief closely connected with the dependence of the members of a lineage upon one another for cattle,[1] and with the office of 'divine king', but such belief scarcely affects village relationships, for the shades are not thought to be concerned with behaviour between neighbours, as distinct from relatives.

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It is true that the proper performance of family rituals includes feasting neighbours, but the implication always is that the shades are concerned only in enforcing obligations towards themselves and fellow kinsmen, not towards non-relatives. On the other hand, neighbours are concerned in the enforcement of kinship obligations. When a son insults his father, the father's neighbours are insulted also; when a daughter-in-law peeps at her father-in-law the shocked astonishment of the neighbours may cause her children to pine. And so, when an erring son begs pardon of his father, he must provide a feast for the neighbours, 'that they may see that his father is satisfied'.

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A situation often arises in which both the shades and 'the breath of men' operate, sometimes 'the breath' of shocked neighbours supporting the shades, and sometimes shades and men each exacting their due. One illustration of this was given us by Kalenda: 'If you do not carry out the burial rites for your father, people are angry, they throttle you, and the shade is angry also, he comes on your body. No, the witches do not call the ancestors to help; both are angry on their own account. To-day the black ones, the witches, come and throttle you; to-morrow the ancestors come. People are angry because they do not eat meat; the shade is angry because you did not perform the burial rites for him. He says: "See, I left much property, why did you not bury me properly?"' And in discussing the obligation of a daughter-in-

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[1] cf. Godfrey Wilson, 'An African Morality', *Africa*, Vol. IX (1936); Monica Wilson, 'Nyakyusa Kinship' in *African Systems of Kinship and Marriage*.

ciated with it in a Christian village or village-section. The nearest parallel to the pagan ritual of reconciliation is the formal re-admission of a repentant sinner to the congregation.

The change in belief and ritual tends to weaken village solidarity; for the Christian village is neither a defensive unit, nor is it the group from within which retribution and forgiveness come. A Christian does not feel himself dependent upon village neighbours to the same degree as does a pagan. We argue that the extension of the range of interdependence reduces its intensity in the narrower circles of relationship, and this is evident in the religious as in the economic aspect.[1]

633. Since the authority of a village headman is largely dependent upon his supposed mystical power, Christians are rarely appointed to this office by the Nyakyusa. We heard of only one Christian headman and he was in the country of a Christian chief. Christians cannot go through the full 'coming out' ceremony which involves treatment with medicines to give amanga, and a Christian headman cannot fulfil the traditional ritual functions in relation to the chief and his ancestors. But in Ngonde, where the percentage of Christians is high (46 per cent as opposed to 15 per cent among the Nyakyusa) and the 'coming out' ceremony has been dropped, there are a number of Christian headmen who simply abstain from the performance of any pagan rituals (as does the Kyungu himself) leaving them to those headmen who are pagan and feel the ritual to be important. And pagan informants whom we asked about defence against witchcraft in a village in which the headman was a Christian, replied: 'Others will protect the country from witchcraft,' implying that there are always other 'defenders' in a village besides its leader.

In Christian village-sections the same difficulties do not arise, for assistant headmen are never treated at the 'coming out', nor have they ritual functions, other than the formal reproof of supposed witches (*vide supra*, p. 109). Hence the recognized leader of any group of Christians living in a pagan village is normally a Christian. In Christian villages on mission land the leaders are, of course, always Christian. These villages do not participate in any 'coming out' ceremony and the leaders are appointed by the missionary in consultation with the 'session' (i.e. representatives of the congregation), not by the old chief and

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[1] cf. G. and M. Wilson, *The Analysis of Social Change*, pp. 25-41.

622 his village headman. In some villages the 'elder' is both a religious
793 leader and a secular authority, but there is a tendency to separate
184 the two offices and to appoint a 'peacemaker' whose duty it is to settle disputes, collect taxes, and represent the village in its relationships with the chief and the administration, while the 'elder' confines himself to watching over the spiritual welfare of his people. Such division of authority is symptomatic of the growing differentiation of Nyakyusa society.

e. *Witchcraft, medicines, and the British administration*

754 Under British administration the use of the *umwafi* ordeal, im-
177 putation of witchcraft, intimidation or obtaining goods under
627 false pretences by threats of witchcraft or sorcery, or offers of protection against them, are punishable offences. As we have seen, the ordeal is now administered only in the greatest secrecy, and probably very seldom, but accusations of witchcraft are frequent, and are even heard before the Native Courts, though not recorded (*vide* Document, p. 277). In the villages near the Government station more caution is observed in making accusations than in more remote parts of the district: very often the identity of the witch is only hinted at, or thorns are piled at his door by persons who remain anonymous (*vide supra*, p. 114) so that no individual can be convicted of imputing witchcraft. As one man put it: '"The defenders" see the witches, but cannot name them to anyone.'
[763] Autopsies continue in conservative villages but they are no longer performed on every corpse, as is said to have been customary in the old days. The chief Porokoto, himself a sceptic, argued that it was no use performing an autopsy when a charge could not be laid. If the members of a village are all convinced that a particular fellow is a witch he is forced to move, since his unpopularity becomes intolerable to him (*supra*, pp. 110-3). As Mwambuputa put it: 'We don't like him, and he doesn't like us either: he does not enjoy our company (*atikwangala na ususe*), so he moves.' But if the friction is only between two individuals, the supposed witch may brazen it out, for without resort to the *umwafi* ordeal there is no sure means of deciding between the accuser and the accused.

754 The prohibition of witch-finding is not accepted as right and
177 just: the common view is that the Europeans 'protect the witches',

1: Wilson E-5 (1934-1938) 1951 FN17 Ngonde FN17
Nyakyusa

both parties, or if he declares the case too difficult and refuses to give an opinion, then it is taken to the headman of the village. Should the headman fail to settle the dispute, it goes to the senior headman of his side of the chiefdom, thence to the chief sitting with his headmen, and nowadays it may go on through the Native Court, and the Native Appeal Court, to the District Officer sitting with native assessors, the Provincial Commissioner, and the High Court of Tanganyika. 627

Village headmen neither have, nor had, power to enforce their decisions; such power lay with the chief alone in the old days—he would send some of his junior kinsmen and men from his capital (ikitengelelo) to execute judgement—and he alone could order the parties to a dispute to drink the poison ordeal, from which verdict there was no appeal. Nor is a village headman or other arbitrator paid a fee—a pot of beer or a hoe from the plaintiff to 'open the case', and beer (or occasionally a bull) as a thank-offering from the party for whom judgement was given, were the perquisites of a chief alone. The arbitrator's reward is prestige—the honour and respect of his fellows. As we have said, a case may be submitted to anyone for arbitration and no slight to the existing authorities is thereby implied; but if cases are constantly taken to some individual in the section other than himself, a section leader may grow jealous. We heard of one who was reputed to have tried to poison a new-comer to his section, a Christian, who was hospitable and became so popular as an arbitrator that the appointed leader feared lest he might lose all his authority. The hospitable man is respected and his fellows often ask for his opinion on a case as they sit together over a pot of beer. 643 622 627

But though village headmen cannot enforce their decisions, they are not to be ignored. An individual does not take a case direct to the chief; usually his village headman takes it to the senior headman of the side,[1] and the latter then takes it to the chief. Both will have heard something of the case and, if it is not regarded as 'too difficult', will have attempted to reconcile the 622 627

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[1] It appears that a village headman *should* proceed through the senior headman of his side, but in Porokoto's chiefdom procedure was modified by the fact that there had been no 'coming out' ceremony. There Mwafula, the headman of a junior village, brought cases direct to the chief (*vide infra*, p. 148). It was modified also in Mwaipopo's country by the absence of Mwangomba, one of his two senior headmen (cf. Document, p. 181).

622 627 parties before referring the matter to the chief. And any decisions they may have reached are reported to the chief.

Disputes between members of a boys' village may be settled by the leader of their village, but more serious cases go to the headman of their fathers' village, and may proceed through him to the senior headman of the side. Old men go to their own headmen, but there is an appeal to the senior headman of the ruling generation, on the side in which they live, except in inheritance cases. In these the old men are the ultimate authority. Christians living in sections of pagan villages take their cases to their section leader—himself a Christian, whose position is comparable to that
627 795 of a pagan assistant headman. Thence a civil case goes to the village headman, but where an offence against the Christian code is involved (as in theft, or adultery, or wife-beating) the case also comes before the court of the congregation, consisting of the minister, elders, and deacons. Disputes between members of Christian villages established on mission land come before the 'elder' or 'peacemaker' of the village, appointed by the Church, and if they are not settled by him they usually go directly to the chief. They also come before the court of the congregation if they involve an offence against Church law (cf. Document, pp. 262–3).

627 Disputes between pagan women are settled in the same way as disputes between men. There is neither the leadership and authority of a senior woman of the homestead as among the Nguni and Bemba,[1] nor that of a senior age-set or women's council as among the Meru[2]. The first woman to be settled as a wife in a young men's village is, as we have seen, entitled to the deference of the wives who follow her, but she has no authority over them. In the same way, though a man's senior wife takes precedence in family rituals, and the wife of a headman may lead in a village ritual, or the wife of a chief in one made on behalf of the country, such precedence in ritual does not carry authority over other women. Certain women versed in the rituals performed at puberty, marriage, birth, and death, and knowing the proper medicines to use, are called in on these occasions, but such

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[1] Monica Hunter, *Reaction to Conquest*, pp. 18, 33–41; H. Kuper, *An African Aristocracy*, pp. 58–9; A. I. Richards, *Bemba Marriage and Present Economic Conditions*, Rhodes-Livingstone Papers No. 4, pp. 67–9.

[2] E. M. Holding, 'Women's Institutions and the African Church', *International Review of Missions*, July 1942, pp. 290–300.

to rejoin the group in which he is 'known', in which he has 'friends with whom he herded cattle as a boy', as that which provides the chief impetus to return. Never once did an informant suggest friction with the village headman as the reason for moving[1] or loyalty to a former headman as the reason for returning. The Nyakyusa village is in no way the personal following of a headman, as the villages of some other central African peoples (such as the Bemba,[2] Yao, and Ngoni[3]) appear to be. It is essentially a group of equals, established before adolescence, whose stability and continuity turn on friendship and co-operation between its members. It is already a corporate group, with very close bonds forged through years between its members, before the permanent leader is chosen, and it continues as a group though its leader dies or moves. 578 166

We do not deny that the personality of the village headman—particularly his generosity and his skill in settling disputes between his men—affects the stability and growth of the village; some villages increase noticeably in size after the 'coming out', while others shrink, and headmen (like chiefs) use medicines to attract men to them; but the Nyakyusa themselves imply that it is the character of the villagers rather than the character of the headman which determines movement to and from the village. 622 621 166

The headman, like any private individual in the village, must remain on good terms with the other members lest *he* be driven out. A number of cases were cited in which headmen had moved because they had become unpopular with their men and feared their 'breath' or witchcraft (*vide* pp. 204-8; 268-70) but most of them had returned after the lapse of a little time. 622 ● 626

What private individuals and headmen alike fear is not a quarrel with one individual, but the disapproval of the village or village-section as a whole; for 'the breath of men' is but the crystallization of adverse public opinion. The man who has the support of his fellows in a dispute with one neighbour is shielded in 'the war by night'.

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[1] Personal friction with a chief occurs (*vide* pp. 150-2).

[2] A. I. Richards, *Land, Labour and Diet in Northern Rhodesia*, pp. 120 ff.

[3] M. Gluckman, J. C. Mitchell, and J. A. Barnes, 'The Village Headman in British Central Africa', *Africa*, Vol. XIX (1949), pp. 91, 98, 100.

anger of neighbours on the one hand, and of kinsmen on the other. 626

The idea that a Nyakyusa village headman has the mystical power called *amanga*, and leads the attacks of justly enraged neighbours, gives him a position in his village comparable to that of the headman who, among many African peoples, is the senior kinsman in his village. Each has mystical power over the members of his village, and the fact that the Nyakyusa headman's power is derived from 'a python in the stomach', and operates like witchcraft, while the power of a senior kinsman derives from his birth, and operates through the shades, makes relatively little difference to the relations of the village headman with his people. 622 784 754

The Nyakyusa system is peculiar in that the village headman is foremost as the discoverer of, and defender against, witches; he combines the functions fulfilled elsewhere by the village headman and the witch-doctor. The protection which kinship villages in other African cultures seek on the one hand from their ancestors, and on the other from the witch-doctor,[1] the Nyakyusa look for from their village headmen. Doctors who claim to discover witches, and provide medicines for protection against them, exist in Nyakyusa society; some, at least, of them are spoken of as having *amanga*—the same mystical power as the headmen have—through which they are enabled to see and fight the witches; but witch-doctors play a much smaller part than they do among the Azande or the Pondo; in the battle against witches they are quite overshadowed by the village headmen. Defence against witchcraft is a village affair, and the foremost 'defenders' (*abamanga*) are the political authorities. Village rituals directed to the ancestors are conspicuously absent among the Nyakyusa, and our hypothesis is that this absence, together with the belief that the 'python power' of village headmen and others is used to punish wrong-doers and defend the innocent within their village, is dependent upon the age-village organization, in which neighbours are not kinsmen and the position of village headman is not hereditary.

[1] cf. Evans-Pritchard, op. cit., pp. 161-82, 251; Junod, op. cit., pp. 503, 516-8. The Thonga 'magician' is also believed to fly and know the witches, because he shares their powers.

1. VILLAGES IN MWAIPOPO'S CHIEFDOM (1938)

Information from numerous informants

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VILLAGES IN MWAIPOPO'S CHIEFDOM (1935)—contd.

Generation	Chief	Sub-Chief	Senior Headman	Headman	Village	Category	Legal Authority	Remarks
[illegible]	[illegible]			[illegible]	[illegible]		[illegible]	[illegible]
					[illegible]	[illegible]	No separate leader	[illegible]
					[illegible]	[illegible]	[illegible]	[illegible]
						[illegible]		[illegible]
				[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
		[illegible]		[illegible]	[illegible]		[illegible]	

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[1] [illegible]

[2] [illegible]

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VILLAGES IN MWAIPOPO'S CHIEFDOM (1936)—contd.

Generation	Chief	Sub Chief	Senior Headman	Headman	Village	Category	Legal Authority	Remarks
IV	Mwanyilu (about 10 years old)			None yet appointed as Mwanyilu has not yet come out	Mpuguso	Sons of Igembe	Mwambuputa	'Mwanyilu will come out here'
				"	Nsanga	Younger sons of Igembe and Lugombo	Mwambuputa	'Mwanyilu will build here first'
				"	Itinga	Sons of Njesi and Mponga	Small cases to Mwakatiku. Serious cases to Kakuju	Some members are married
				"	Ipyana	Younger brothers of Itinga	"	None yet married
				"	Kungwe	"	"	None yet married
				"	Isuba (junior section)	Sons of Isuba		

Nineteen independent villages established at the 'coming out' ceremonies of Mwaijonga, Mwaipopo and Mwankuga survive.

There are five village sections treated in some respects as practically independent villages. There are other village sections as Itiki which are not so independent.

There are six boys' villages, not yet established, but likely to be recognized at the 'coming out' of Mwanyilu.

The dividing line between village and village section is difficult to determine when villages have split *after* the 'coming out' at which they have been established, as did Bujenga. Our recognition of Busikali as a separate village and not Itiki is somewhat arbitrary.

It is to be noted that villages not only sub-divide but occasionally coalesce. Two independent villages established at the 'coming out' of Mwaipopo coalesced as Lupando, after the death of the headman of one of them.

The traditional organization is modified in that Mwaijonga's country has not been divided or sub-divided into independent chieftainships.

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2. THE 'COMING OUT' (*UBUSOKA*)

Mwaikambo (clerk and son of a chief).[1]

621 ●622 643 'The village headmen begin to talk among themselves, saying: "Our sons have grown up, should we not establish them?" So they go to tell the chief, saying: "Our sons have grown up, let us show them to the country." Two chiefs always "come out". We call them the senior and the junior. It is an old custom which is still followed that two chiefs should "come out".

[789] 'So the village headmen seek a doctor to make them a medicine horn and treat the tails of chieftainship with medicine. The village headmen take council together and choose two senior headmen to "come out" with the chiefs. These senior headmen drink medicine (*embondanya*) with the chiefs.

'When many people, together with the two young chiefs, have come together the doctor gives powdered medicine (*embondanya*) to the chiefs and the senior headman chosen for each chief. They give a spear of chieftainship, and a horn, and tail to each of the men chosen as senior headmen—one for each chief. Each senior headman then binds the horn to the blade of the spear, and standing with his own chief and many men and women, raises the spear to the sky. The women trill [535] and each party goes to its place of "coming out" on the pasturage. Each chief, with his followers, goes to his own place. The men dance; sometimes they have drums, sometimes not.

[372] 'Then when each party has reached it own place they make fire with fire sticks. The chief just simulates the action of fire-making then his senior headman takes the sticks and makes fire by friction. When they have built the shelters for sleeping in they warm themselves at the fire they have made; they do not take fire from the houses of men. If there are many of them then there will be three or four shelters, if few, then only one shelter. The men and their chief who has "come out" sleep in these shelters and enjoy themselves together (*nukwangala*). The first day they kill two head of cattle. Also they plant "the tree of coming out" (*umpiki gwa busoka*) which is called *ulupando*. They plant it with a man who has come out previously, a man of their fathers' generation, he begins to plant, then he explains to them what to do, saying "plant", then the new senior headman plants it.

'While they sleep in these shelters with their cattle, they eat food which they take from their fathers, bananas, and milk, and other food.

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[1] For a note on conspicuous informants see p. vi.

cry out, because then the teeth will disappear altogether, but to be 754
silent, then they will reappear.

'And another activity of the witches is to take sickness from one country and cast it on some home they choose. So when people die they say this sickness was brought by the witches to so and so.'

Mwandesi (a very old man famous as a historian).

'The witches are always naked when they go to choke a person in dreams. A witch leaves his skin (*ungubo*) on his sleeping-mat and goes naked. When his neighbours, "the defenders" (*abamanga*), see him they may snatch his skin; then when he returns he trembles and sits down naked, ugly-looking. He looks as if he had a curse on him. But after a little while he gets another skin.'

Mwaisumo (clerk).

'The man of whom we have spoken twice (*vide* pp. 124, 252) is sometimes said to be a witch, he throttles the cattle of the village and men say that he throttles them also. But he is especially notorious for throttling the cattle of the village so that their milk disappears. Once they caught him for witchcraft, saying: "You are throttling us" and they drove him away. He moved to another village but in the same chiefdom, and there also men continually said: "We do not sleep on account of our fellow! If he brings witchcraft to us here he will die, we shall hit him with fists" (meaning that "the defenders" will hit him with fists) when he goes out to throttle his victims. If their cows dry up they say: "We shall hit his python, he will die." For it is said that if a person has a python which throttles the milk, men strike the python and he dies. The python means the witchcraft of throttling cattle or food. Saying "We shall strike his python and he will die" means that we shall strike him when he is throttling our cows and he will die.'

Ntulanongwa (pagan man).

'When the chief is good the cows are many and there is much milk. 754
And when the village headman is good, when he forbids witches to
come into his village, milk is plentiful. When we say a chief is good 643
(*nnumu*) it means that he never goes to throttle cows, or if we say that 622
the village headman is good it means that he does not go throttling. Formerly chiefs and village headmen were good. If they were great witches, no one came to them. I come from Penja country over there.

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Mwalukasa was good. We knew he was good because people came to him and cattle increased and people loved him. Some who are quarrelsome lose all their men and are left alone. . . . A village headman or chief *gwa ifugo* is one who always preaches to his fellows that "food should be plentiful among us here, friends; none should bewitch others." "A man of plenty" (*ugwa ifugo*) is a village headman or chief who is angry at witchcraft in his village, and forbids it, who allows no one there who is "clever". The cunning of a witch, of one who has the bowel of witchcraft, is to go around throttling cows and eating people. When they go to throttle they go on high, they fly, they go like the wind. If they went on earth they would be killed by "the defenders". It is said that they eat the meat (flesh) of people, truly they eat it. When they go to "eat" a man, they spear him; they take his meat and eat it. A man does not recover when they have taken his meat; he dies. Those whom they have only speared and whose flesh they have not taken, recover. They roast this human meat and then they eat it; in this their cleverness lies. When they go to "eat" a man and have speared him and taken some of his flesh, they do not roast it at his place, they go to their homes, and there they roast it.'

38. BRINGING HOME A VILLAGE HEADMAN

Mwambuputa's home-coming

Mwambuputa is the senior headman of Mwankuga who had fled to the Lake-shore plain from fear of 'the breath' of his men (cf. pp. 229–30). He was brought back with ceremony. His return also brought to a head an old land dispute (cf. pp. 188–90). For the status of the personalities concerned consult the table of villages and headmen on pp. 181–5. 621 622 166

Record of G. W., 1/5/35.

'I visited Tandale (Mwainyobolela) the village headman of Busikali and the man chosen to bury chiefs. Katolile (the village headman by inheritance of Bujenga, and a brother of Jane, Kasitile's wife) turned up with two others to fetch him to the home-coming of Mwambuputa (Mwafungo)[1] in Igembe. We picked up Kikalango (a junior son of the chief Mwaipopo) on the way and he and Tandale told me the following story: 166

"Mwambuputa went to the Lake-shore plain (MuNgonde). Then Mwankuga I (the young chief), while he was still alive, found a cow and the village headmen went off with it to fetch Mwambuputa home. Mwankuga did not go himself. This cow was kept by Mwambuputa, not eaten. It was to say to him; 'Come back, my headman.' Then Mwambuputa agreed and said: 'I will return, take my son back with you now.' So they came back. Then Mwankuga I died, and Mwambuputa came up to his funeral and put up temporary huts to live in, and he has not since been back to MuNgonde. Yes, he could have built proper houses before this ceremony, had he wished, it is not forbidden."

'Those who come to this gathering are his fathers (i.e. the men of Mwaipopo) and his friends (i.e. the men of Mwankuga), all commoners—no chiefs come to this ceremony. And in fact neither Mwaipopo nor Mwankuga II was there, nor did I see any of Mwaipopo's brothers. Kikalango and Kititu (junior sons of Mwaipopo) came to accompany me. We arrived at Mwambuputa's huts with Ngulyo, about noon. About 100 men were present. I noticed Mwambuputa himself, Kakuju, Ngulyo, Tandale, Katotile, and Mwaseba (Kabolile). 166 183

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[1] Some informants used the name 'Mwambuputa', others 'Mwafungo'. To avoid confusion we use only the former.

CHAPTER V

The Chief & his Counsellors

643 THE Chungu of to-day is but a poor shadow of his great ancestors. European power has deprived him of many of his prerogatives, and stripped his person and his office of much that was picturesque, and might well have been preserved. But even in the heyday of their glory, the Chungus were but priest-kings, hampered in their divinity, hedged in their kingship by advisers, limitations, customs, which could not be set aside.

643 622 To-day Chungu is but one chief among many; but in the past chiefs of all ranks in the Karonga district were subject to him; acknowledging his superiority, but yet asserting for themselves a considerable amount of independence, even to the extent of making war. First are the chiefs proper, chiefs of the snake, so called because their insignia of office is a buffalo or zebra tail, in which is a powerful medicine made from the flesh of a fabulous flying serpent, and which is believed to give its possessor great influence and authority. Next in rank, and subordinate to chiefs, are the *amafumu*, men who possess a less powerful medicine; and finally men of still less importance, who exercise a strictly local authority.

643 Chungu himself, however, was, and still is, "the man who speaks with God"; and as such he is

643 582 themselves must be free from any kind of blemish. They drink a medicine weaker than that taken by their husband, but sufficiently potent to make them respected by all the other women of the district.

622 766 The death of a chief, like that of Chungu, is a great event. An immense crowd of men and women gather on these occasions. At the death of Mwafongo, near Karonga, in 1913, fifty head of cattle were killed for the feast. Of these perhaps thirty were the property of the dead chief; the rest were brought by the mourners as a token of respect for the dead man; but for each animal so killed, an equivalent, an ox for an ox, a cow for a cow, was given to the donor from the dead man's herd, so that the herd left by Mwafongo was reduced by fifty at his death. Intense emotion is generated at these gatherings, frequently leading to death. And in the past it was the rule that a chief should not go to his fathers alone. If therefore fighting broke out, and men were killed, it was only right and fitting that this should be so. In 1897 there was a small rising against the Germans, in which the chief Mwakalinga and many of his people were killed. The chief having been killed, it was not surprising that there should be a heavy death-roll among his men. The death of Mwasulama in 1918 was followed, quite naturally, by the influenza which carried off so many of his people.

622 About a month after the death of the chief, the feasting is resumed, this time with immense quantities of beer which has been prepared in the interval. The new chief is now anointed with oil, and the

shout is raised, "He is our food and our shield." 622 The successor may refuse to act as chief, in which case another is chosen by the *amafumu* (subordinate chiefs).

The duties and privileges of chiefs are similar to those of Chungu. They cannot be deprived of their position, but if a chief proves himself thoroughly unsatisfactory, his people may leave him, and come under another, who will willingly receive them. The position is not always an enviable one. A chief whose people leave him loses position among his fellow-chiefs. And he is not always sure of the respect of his people. In 1923 a decision given by a lake-shore chief so roused the wrath of some of his people that they cut down his bananas, a deadly form of insult, which in this case has not yet been avenged, because the actual perpetrators, though known to many, have not been disclosed. Under the British Government, the chief is responsible for the payment of the taxes by his people; he must see to the upkeep of the roads in his district, to the supply of carriers for the Government when asked to do so; and to the general good behaviour of his people. He gets three to four per cent of the taxes paid in his district.

684 greeting, and passed on, without constraint of any kind. It turned out that the man was only slightly wounded; but most husbands in such circumstances "mak' siccar."

684 If the guilty paramour escapes, he goes to another chief, who receives and protects him, unless his co-● 622 sinner is the wife of a chief, in which case the man is sent back to meet whatever punishment awaits him. The woman, as I have already said, is liable to the extreme penalty also, but I know of no case in which it has been inflicted, and I think it is of very rare occurrence. An alternative punishment was to have her ears cut off. There is a woman living in the neighbourhood who, along with her paramour, suffered this penalty lately, but the chief by whose orders it was done was heavily fined by the administrative officer. Other punishments are still in use, which will not bear [586] the light of print. A wife found guilty is divorced without further question, and the cattle returned to the husband. Divorce is often sought for very trivial reasons, but native courts will not seriously consider ill-supported claims.

685 *Arson.*—There is a general rule that accidental burning of another man's goods must be compensated for, by replacing all that is lost, whether that be a mere shilling's worth, or a house and all its contents. Arson proper, however, is a much more serious crime, and in the past involved the enslavement of the criminal and all his family. Not a few cases of arson are among the crimes that are common to-day. The church at Karonga was burned down in 1921, probably as an act of revenge against a Christian; but a common

If a spirit is to be propitiated, beer is poured out and 241
petition made as follows: 782

> "Ye fathers, I am about to sow my seed. How can it grow if ye kill what I put into the ground? If ye are gracious to me, let me see the harvest."

Finishing his oblations with the usual squirting of water from the mouth, he next day sows his seed in confidence. If there are no obstacles from the spirits he does not pray. Why should he? There is nothing to pray about.

The ceremonies are practically the same all over the 241
Konde country, but many chiefs have special prac- 782
tices of their own. A very picturesque ceremony is 622
that of the chief Mwaisumo. When the early rains have fallen, and the ground has been hoed, chief and people go to the grave of the ancestral chiefs, carrying their shields of ox-hide. The chief and his headmen, standing in rows, raise their shields above their heads, and Mwaisumo, taking water into his mouth, squirts it upwards, and prays for a good harvest. Immediately all the people break out into rejoicing, dancing, shouting, blowing bamboo whistles, and drumming. The seed may now be sown.

The first hoeing is *ukusebera*, gathering the heaps 241
of dry rubbish and burning them. But even this is 789
not done without ceremony. Every man goes to the doctor to get medicine, which is put into the biggest heap in his garden; then, when the wife of the village headman has set fire to one of the heaps, which must not be one of those in her husband's garden, all the

241 stretched across the garden, and presently the pigs clear off, and there is silence again. Many kinds of game get part at least of their living out of human industry, and have to be laboriously guarded against.

For smaller pests additional aid must be sought. Field mice and rats, *indafu*, a small locust-like creature, grubs, wireworms, and moles, work great injury, and ordinary methods of dealing with them are vain. Take, at sunset, a brand from the fire, and walk over the garden with it, singing "*Kuki Kyaubili?*" Where is the Unseen God? and the pests will clear out.

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769 The first maize cobs are taken to the chief; then each head of a family presents a few cobs to his own ancestors; twins also must be presented with early cobs, and it is only then that common people are safe if they begin to eat the new season's crops. When the chief makes an offering to his ancestors, it is usually laid at the *lupando*, the place where the village trees stand. The maize is eaten by mice, but it is credited to the "lion" which is the chief's guardian (Chap. V). In some districts a perhaps more primitive ceremony is observed. With a following of little children, the doctor goes to the grave of the chief's ancestors, and there roasts a few maize cobs, which he divides among the children; on their return, intimation is made that all may now eat the new crops.

251 The food stocks in the barns are protected by a medicine, but this practice is falling out of use, though many still follow it. If a man is too poor to buy the medicine, he begs a handful of the protected grain from his better-off neighbour, confident that the

643 ●622 782 Of the persons officially connected with the spirits, the most important is the chief. It has already been said that " Chungu is the man who speaks with God " ; he is also the man who speaks with authority to the spirits. He, and all other chiefs, approach the spirits for the general good, but as heads of families they have the right to offer private prayers as well. Each head of a family may also pray for his own people ; but no man may pray so long as his father or elder brother is alive. Next, every chief has an official who may be called a priest ; he is the *unnyago*, the man whose duty it is to go daily at the order of the chief to present an offering at the grave where the last chief is buried. He does not pray ; he simply lays the offering, usually a few maize cobs, on the grave and departs. When the chief goes in person to pray, as he sometimes does, without any public ceremony, this man goes with him, hears the prayers, and knows the ritual ; and it is he who will teach the new chief his duties when the time comes for him to perform them. When, however, the chief dies, the *unnyago* is in great danger, for the spirits take possession of his person, a danger which can only be averted by a powerful medicine supplied by the doctor, and taken as soon as the chief has died. If this is not done, he becomes mad, lives in the bush, gibbering and naming all the dead chiefs of the past, including names known to no living person, but supposed to be those of long-dead chiefs, uttered by themselves through him.

778 With regard to places of worship: the " high place " is always at the grave of the dead chief ; and

driving out all the sorcerers, no one would die of 791
smallpox, but one remaining sorcerer could work 753
unlimited mischief so long as he remained undis- 754
covered.

In a community which practises "subsistence 791
agriculture," it is important to know beforehand 261
when the rains will be late, and it is the duty of the prophets to let the chief know, and through him the people, when this will happen. In such a contingency, the chief issues instructions, varying in minuteness, regulating the kinds of food which are to be used, and warning against greed. Punishment used to follow disregard of the prohibition, but the chiefs, although they still issue orders as before, do not now venture to punish offenders, or at any rate they punish none who would be likely to report them to the Administration.

Famine, however, was not always the result of 731
drought. It was often, in the past, the result of war. When a powerful enemy approached, the people left the villages and took refuge in the bush, sometimes for long periods, leaving all that they could not carry to fall into the hands of the invader. The last occasion on which such a famine was foretold was when the Angoni passed through the land seeking a habitation. The people fled before them, and a famine resulted which is still traditionally remembered. With such a powerful enemy approaching, the prophets had an easy task in foreseeing famine.

The death of chiefs is also foretold. The prophets 622
see in dreams the house of a chief being built in the 787

622 787 spirit-world, and they know that when it is finished the person for whom it is intended must very soon go and occupy it. This vision is not told to the chief, but to those who have the duty of choosing his successor, who quietly make their arrangements while the living chief is still among them. He himself has forewarnings also, for he sees his ancestors beckoning him, and knows that his hour is near. Common people die in the common way.

781 No prophecies are more interesting than those which concern the European. They are found over a wide area in Bantuland, and among the Konde they were very detailed and definite. Many versions of these prophecies are still current, the most detailed being that ascribed to Mwakipesire of Masoko. With a great multitude of people the prophet climbed a small hill near Masoko, and there delivered his message.

> "A man will come from the lake, white in body, and he will be lord of the whole country. War he will bring to an end, the Angoni he will conquer, the Arab he will expel. He will bring us cloth, and we shall throw away our garments of leaves. Our way of worship will come to an end, for he will tell us how to go direct to God Himself; but he will not come until all who are here to-day have gone to the spirits."

Maseke of Karonga added that the white man would come in a canoe that sent out smoke, that the peace would be so great that none would carry a

The Bakifuna go to the stream to wash, garlanded with flowers, and carrying a small stone. Flowers and stone are thrown into the stream after the washing, and the company re-enter the house. The doctor takes water and pours it on the roof, upon which all come out one by one, the water dripping on each as he or she passes. Anointed with oil, they all go to the place of burial, where, resting on elbows and knees, they draw themselves along the grave, slightly disturbing the soil as they go. The hair is then cut, and the feast follows. 768

When a chief is *in articulo mortis*, his headmen and his wives are present, and he is addressed, while still living, as common men are addressed at the graveside. "Go to God and the spirits; go to your fathers (naming them). Rest there, and tell them what is happening here above." 766 643 622

After he is dead, the nails of his fingers and toes are clipped, and his hair cut, and given to the doctor, who will make medicine with them to prevent the disease which killed the chief passing over to others. The dead man is now dressed as common men are dressed for burial, but much more elaborately, and, if he is a relative of Chungu, he is placed in a sitting position in the house, where his wives and headmen embrace him for the last time. If he is a very important chief, like Chungu, his death is not yet announced to the people.

Meantime a cow has been killed at the place where the body is to be buried, and the headmen dig the grave, usually by night, if intimation has not been

766 made that the chief is dead. The body is brought to the grave by the headmen, and the dead cow is 643 lowered in first; then the chief, in a sitting position, ●622 facing the Sango country, if that was his original home. Torches are used if the night is dark. When the grave is filled in, all partake of the medicine made from the dead man's nails and hair. The washing ceremonies are the same as for common men; but the widows will not go near the men who placed the body in the grave until the latter have given them a gift of some kind, though the exact function of the gift is not clear.

No chief of any importance dies a natural death: 643 that is to say, however and whenever a chief dies, it is 761 assumed that some one was responsible. It is believed that chiefs die more easily than common men, and are more open to evil influences; but, on the other hand, they have more powerful medicines to protect them. When Kabeta died in 1922, all his sons and his headmen were put to the poison test, and those who did not vomit were compelled to pay a fine in cattle, a token that complete confidence in the belief in evil influences is passing away; for in earlier times the culprit so discovered would have been attacked as he ran, and would probably have paid the forfeit of his own life. The easier punishment may, however, have been due to fear of the police.

766 Twins were not exposed; but if one of them died, the body was cast into the bush, and wailing was not permitted, for it would cause the death of the other. To-day the body of a twin is buried in the ordinary way, but without wailing.

439 643 given a slave or cow in return. Those who performed hoeing service, *milasa*, were entertained with food and beer.

The ivory trade, although it bound the local rulers to the capital, involved no tribal 622 organization of elephant hunts, and scarcely touched the common people, who never 437 obtained the imported cloths exchanged for ivory, but continued to dress in bark-cloth or in their coarse home-woven cloth. Between each chief and his people economic links were determined on the one hand by his power of requisitioning food, and his greater wealth derived from the higher bride-price given for his daughters, and on the other by his people's expectation of entertainment from nim in return for their food. Economic links between local chiefdoms were tenuous. Subsistence agriculture was practised by each family with the help of village neighbours and a few friends and kin; marriage with its economic exchanges was usually within the chiefdom. Of the few specialized craftsmen, representatives of each were usually found in each local group.[1]

Under modern economic conditions, Ngonde country is the only part of north 439 Nyasaland which cannot be called the 'Dead North', and does not suffer from excessive 433 migration. The soil is fertile and at present there is no land shortage, though there is likelihood of one developing in the near future. Food is cultivated for export to the Lupa goldfields in Tanganyika, which is the natural market for Ngonde produce. Rice, cattle, and hides are also exported there. Parts of the lake littoral are suitable for cotton cultivation, which was revived in 1934. Ninety tons were sold in 1936. Out of the total effective male population of 12,000, 3,000 grow 'economic crops', and 7,000 grow cash crops only.[2] There are two European coffee estates in the Misuku hills, but they are handicapped by the long dry season.[3] Money is also derived from the fishing industry. An attempt to develop a ghee industry from native butter for sale to Indians in Nyasaland collapsed owing to the apathy of the Ngonde, their neglect of quality, and their insistence on too high a price for their inferior product. The main cash income of the district is derived from emigration to the Lupa goldfields, so that 90 per cent. of the money in circulation in the district is East African currency, which is accepted by the Nyasaland local government, surplus balances being remitted to the District Officer at Tukuyu, Tanganyika.[4]

PERIODIC MIGRATIONS

167 Long-distance labour migration is not a serious problem among the Ngonde, as they are able to earn their main cash income by working in the nearby Lupa goldfields, or by supplying that market with agricultural produce. In north Nyasa district (Ngonde), of 12,052 adult males fit to work for wages, only 11·6 per cent. are labour emigrants, and of these in 1937 only 100 were counted as 'lost ones' (i.e. not heard of since 1930).[5] In Abercorn and Kasama districts, Northern Rhodesia, where the Nyamwanga and Iwa live, 50 per cent. of the able-bodied male adult population is absent.[6]

A local migration of Nyakyusa does constitute a problem for the Tanganyika administration. Up to 1935 some 2,000 families had migrated from Rungwe district to tribal lands in the neighbouring chiefdoms of Mbeya district. By 1941 the figure had increased to 3,000. The immigrants now total 17 per cent. of the whole population

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[1] Wilson, 5, 1939, pp. 39-50.

[2] Murray, 1932, p. 226.

[3] *Bell Report*, 1938, Appendix A.

[4] *Bell Report*, 1938, pp. 100-3.

[5] Smith, 1937, p. 22.

[6] Orde Browne, 1, 1938, maps.

POLITICAL ORGANIZATION

000 Only the *Ngonde*, the *Nyamwanga*, and the *Iwa* seem to have had any paramount authority. Of these, only that of the Ngonde has been described in detail. The Nyamwanga had a paramount chief, the Mukoma, living over the border in Tanganyika. Under him the Northern Rhodesian Nyamwanga were always ruled by his sister, the Waituika; directly under her were the headmen of villages. The Mukoma used to appoint his own sons or selected friends to be headmen of the larger villages. A nominal tribute, mainly fish, was sent by the Waituika to the Mukoma, and the latter could also command annual labour in his gardens. The Iwa also had a paramount chief, Kafwimbi, who recognized common ancestry with the Mukoma but paid him no tribute. His country was divided into two sections, under two sub-chiefs, Mpanga and Terefya. The succession to the chieftaincy is normally the same as commoner succession, i.e. brothers, then sons of the deceased, but the order need not be rigidly adhered to.[1]

NGONDE TRADITIONAL SYSTEM

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The section on history briefly indicated the position of the Kyungu. He was wealthy, owing to the ivory trade, and used his wealth to maintain political links with the chiefs and nobles of the country. At the same time he was kept in strict religious seclusion, and the real government of the country was in the hands of the nobles of Ngonde, a group of hereditary nobles, descendants of the original companions of the first Kyungu. The relations of the great chiefs (descendants of sons of Kyungus) and the territorial nobles to the capital allowed of considerable local autonomy, the Kyungu's prestige being mainly religious. Each territorial noble was succeeded by one son; each chief was succeeded by two or more sons, so that the chiefdoms tended to supplant the territorial nobles in importance and number, and the junior branches of the house of any one great chief formed a hierarchy based on descent. The great chiefs, at their accession, were recognized by the Kyungu with gifts of cloth, and they brought the junior chiefs of their house to perform hoeing service, *milasa*, for the Kyungu. Afterwards the junior chiefs performed *milasa* for their great chief, and were similarly rewarded with entertainment. The great chief might invite the territorial nobles in his neighbourhood to accompany him in performing *milasa*, but he could not command them as he could his junior chiefs. Apart from recognizing a certain authority of superior chiefs in judicial matters, and the right of the latter to command them to hoe, or in war, the junior chiefs had almost complete autonomy in their chiefdoms.[2]

622 Each chief had a traditional right to demand from his own subjects milk and bananas if he needed them, and to evict any man he pleased if he desired the site for his personal use or to give to a kinsman (not to a commoner), offering the evicted tenant another site.[3]

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The chiefdom[4] consisted of a number of age-villages, older and younger men living apart with their own contemporaries. At the head of each age-village was a headman (called 'great commoner' by Wilson) chosen from among the villagers by the chief

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[1] Coxhead, 1914, pp. 40–5.

[2] Ibid., 3, 1938, pp. 48–9.

[3] Wilson, 3, 1939, p. 24.

[4] In the absence of information I do not know whether the following description of Ngonde and Nyakyusa chiefdoms and age-villages is capable of a wider application.

622 and the great commoners of the most senior villages. The constitution of a chiefdom
624 was that of a limited monarchy, for the chief was dependent on his great commoners
631 for his authority. All the way up the scale, with the exception of the Kyungu himself,
each chief had his own great commoners and people directly subordinate to him. The
organization of families and villages within the chiefdoms was the same as that of the
Nyakyusa, but the organization of a territory ruled by a noble differed in that although
there were always at least two age-villages, there were no great commoners.[1]

361 Villages vary in size, and average from forty to fifty households. In the first instance
a boys' village is built on ground allotted to them by the village of their fathers, but a
621 new allotment is made ceremoniously at the 'coming out', *ubusoka*, ceremony of the
young chiefs, when the old chief and his great commoners formally allot a tract of land
to each village of young men, and redraw the boundaries.

621 In every generation each chiefdom was divided into two (they were originally
immigrant groups expanding their territory, and incorporating previous inhabitants).
622 The chief at his accession, or 'coming out', married two 'great wives', whose eldest
631 sons would each be one of his two heirs, and divide his chiefdom. The number of
villages which 'came out' with each young chief varied between four and eight. If he
was later reduced to a minor position he might be left with only one village of adult
men, and one of their sons, as people tended to move away from minor chiefdoms.
This was the system which obtained among the Nyakyusa and also among the Ngonde.[2]
A summary of the 'coming out' ritual is given here, instead of in the section on ritual,
as it indicates some of the features of the political organization.

621 Usually eight age-villages 'came out' at the same time, four under each of the young
chiefs. At this occasion, some thirty years after the old chief's accession, eight new
622 great commoners were chosen. The two young chiefs were secluded for a few hours
624 in the hut of the old chief's first wife, and received magical treatment. Then they
583 'came out'. The boundaries of the age-villages were freshly drawn. After the 'coming
out', each young chief, whether he was already married or not, married his two great
wives, whose first sons would be his heirs. Girls who had not yet reached puberty
were carried off from other chiefdoms with a show of force by the chief's men, who
later sent cows of their own to regularize the position. The girls stayed at the home
of one of the old chief's men until their first menstruation. They were initiated together,
not at the house of their fathers, but in the country of their husbands; the old men
and women of the country (contemporaries of the retiring chief) played the part
usually played by the girl's parents and neighbours; the chief and his young men playing the usual part of the husband and his friends. After the ceremonies the girls were
given as wives to the young chiefs, and separate huts were built for them in the two
senior age-villages of the chiefdom. Wives married subsequently were attached in order
of seniority to one or other of the two 'sides' of the chiefdom. Thus the four age-villages
normally attached to a young chief were, from the first days of his official marriage,
divided into two. If one of the two great wives bore no sons, the succession for that
side of the chiefdom would pass to the son of the next senior wife of that side.

Between the 'coming out' of two young chiefs and the death of their own father, a
622 delicate balance of prestige and power was maintained, secular power over their own
age-villages passing to each young chief, while the old chief retained control over the

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[1] Wilson, 5, 1950, pp. 20–4.

[2] Ibid., 5, 1938, pp. 12–15.

622 secular affairs of his own age-villages and full supremacy in religious matters over all. Appeals in difficult cases might be taken from either of the young chiefs to the old chief and his great commoners. After his death, the wives and cows of the old chief were inherited by his full-brother, to whom also his religious authority passed. Full [624] [793] political power over their separate chiefdoms then went to the two sons. The great commoners of the old chief, relinquishing their secular functions to their successors, then entered on their religious duties as priests of the dead chief; this priesthood they handed on to their sons. When all the old chief's full-brothers were dead, the religious functions of chiefship passed to the young chiefs, who were then fully emancipated. The boundaries between their chiefdoms, settled at the 'coming out' ceremony, were sometimes modified by warfare.[1] The age-village is still the chief field of friendship, members recognizing greater obligations to each other than to outsiders; before the European administration the village was also a military unit.[2]

624 The great commoner of every village was very powerful, and measures existed to check his influence; for instance, no kinsman of a chief or son of a great commoner could be elected to that office. His duties were to be hospitable to the villagers, judge their cases, lead them in war, and officiate at their ceremonies. He represented their wishes to the chief, and through him and in consultation with him the chief gave his orders. Each great commoner was believed to be able to protect his own villagers from witchcraft.

Warfare

721 A state of war—actual or potential—always existed among the various Nyakyusa chiefdoms. Among the Ngonde, also, civil war was endemic, the Kyungu neither preventing it nor taking any part. In tribal warfare he did not remain impartial, but gave orders and told the chiefs to pray. They first called on the sacred groves of the buried Kyungus, and then each great chief called on his own predecessors for help. Although the territorial nobles also fought, they did not pray to their ancestors, for tribal war was carried on under royal auspices alone. War was an important source of revenue in cattle and slaves. The recurrent civil wars of the period before the Ngoni invasion show that in spite of the heirarchical façade the centralized political organization was not strong enough to overcome the local autonomy of the chiefdoms, except in the face of a common danger, such as the threat of Bemba or Ngoni invasion.[3]

Justice under the Traditional System of the Ngonde

692 There was no central court of appeal at Mbande to which the ordinary man could bring cases direct, or appeal against the decisions of his local chiefs. At the capital the only cases dealt with by the nobles of Ngonde were cases of treason against the Kyungu (mainly adulterous approach to his wives), which were summarily punished by death. They also used the Kyungu's authority in punitive expeditions against insubordinate chiefs. Each noble of Ngonde decided the cases in his own field. Each great chief held an appeal court to which cases from all the chiefdoms of his house came, for of all the descendants of the Kyungu the great chiefs alone had power to administer the poison ordeal. Some of the territorial nobles also had the power. It was resorted to not only in witchcraft cases, but in appeal cases when evidence for a legal decision was lacking.

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[1] Wilson, 2, 1936, pp. 278-82.
[2] Ibid., p. 276.
[3] Ibid., 3, 1939, pp. 59-63.

692 Many cases were of course decided by the common people among themselves, others by their great commoners, and others by the local chiefs sitting with their great commoners. Although there was no centralized judicial system, the political hierarchy of chiefdoms sometimes could be used to obtain redress in the case of a quarrel between men of different chiefdoms. The weakness of the system is indicated by the fact that restitution for wrong done was often obtained by the method of capturing a hostage.[1]

681 Witchcraft was punished by death. An adulterer, if caught, was killed by the husband. Deliberate murder required compensation up to ten head of cattle and the transfer of a woman, followed by a feast of reconciliation. If the murderer could not be caught a blood feud would be started, ending with a feast of formal reconciliation under the guidance of a diviner. Accidental homicide required compensation, but no feast of reconciliation, as there had been no malice. A cattle-thief caught red-handed might be killed on the spot; arson was settled by payment of compensation.[2]

MODERN GOVERNMENT

622 642 643 (*a*) *Ngonde.* The British Government in Nyasaland at first applied the system of direct rule. Chiefs and nobles were recognized as 'village' or 'principal' headmen, performing executive duties for the Administration. The Kyungu was one of the 'principal' headmen, but was not recognized as Paramount. In 1924 the system was modified by the setting up of advisory councils in association with the headmen and the District Resident. The members of the councils were nominated and removable by the Government, and there was no intention of reviving tribal government.

In 1933 the system of Indirect Rule was introduced. The Kyungu was recognized as paramount chief, with an appeal court and five sub-chiefs under him. Of these, one, Kilupula, was over the northern part of the Ngonde plain, another ruled the Lambya in the extreme north-west, and the three others were distant territorial nobles ruling groups of alien stock in the hills. The nobles of Ngonde, with twelve prominent nobles and six other assessors, were recognized as members of the Kyungu's court and given nominal salaries. Those of the great chiefs of Ngonde who were not made sub-chiefs were officially termed 'important' headmen, and given nominal salaries. The other chiefs and territorial nobles were still termed 'village' headmen as before 1933. The Kyungu and the five sub-chiefs were each given an area and a court for the area. Village and important headmen could arbitrate in small cases but had no power to execute judgements. That power belonged to the courts alone. The Kyungu's court was also a court of appeal for the whole of Ngonde. A Native Treasury was established, into which one-twelfth of the tax was paid, but this was almost entirely expended on personal emoluments.

The full traditional constitution cannot be revived, as the religious beliefs which supported it have been superseded. Forty-five per cent. of the population profess Christianity, and even the belief in witchcraft, which operated in certain cases as a constitutional check, is less persistent than before. The native rulers are no longer believed to control the rain and the health and fertility of their people, so they stand or fall by the performance of their secular duties alone. Since the Kyungu has come out of religious seclusion the nobles of Ngonde are relegated to advisory status. The secularization of the constitution tends in this respect to make it more autocratic, both

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[1] Wilson, 5, 1939, p. 48–59.

[2] Mackenzie, 1925, pp. 82–90.

622 in the relations between the Kyungu and the nobles, and in those between the local chiefs and their great commoners. On the other hand, there has been a reversal in the
642 relative wealth of commoners and chiefs. The latter have had small salaries substituted for the proceeds of the ivory trade, food tribute, and the booty of war. The decline of
643 polygyny has also reduced the relative wealth of the chiefs. The Kyungu's total official salary in 1937 was £72, and the salaries of sub-chiefs from £4. 10*s*. to £12 per annum. The nobles of Ngonde were paid from 10*s*. to 15*s*. per annum except Mulwa, who got 30*s*. These salaries do not permit of lavish entertainment and gifts to subordinates, and the rulers suffer a consequent loss of prestige. Each village headman is allowed 3*d*. in the tax paid by every adult male subject, and, in addition, the 'important' headmen (former great chiefs) receive subsidies averaging about 10*s*. per annum. These payments have replaced the traditional right to requisition food. Commoners are frequently richer than their rulers. The head clerk in the Boma got £52 in 1937, and fifty-three other government employees got £12 or more. Young men from the goldmines and native Christian ministers now earn more than do the former great chiefs.

By using his private fortune the present Kyungu has been able to maintain the prestige of his office. He revived the *milasa*, hoeing custom, in 1927 on a new basis. To each chief who hoed for him he presented a cow, bought out of the proceeds of the sale of the produce of their labours. The *milasa* profit also enabled him to buy cloth for funeral gifts, a custom which he extended considerably, giving cloths not only at the death of the chiefs, but also to everyone who dies in his part of the plain of Ngonde. The present constitution of Ngonde is more autocratic and more centralized than the old, and thanks to his wealth the Kyungu's secular power is greater than that of his predecessors, in relation to the nobles of Ngonde, and to the chiefs and territorial nobles.

The 'coming out' has ceased since 1913, owing to the smallness of all the present chiefdoms, and the impossibility of finding enough land and followers for two successors to any local chief. Each chief is now succeeded by a brother or one son only. Subjects are still free to move away from the area of an unpopular headmen, thereby reducing his salary by 3*d*. per annum.[1] Although the Nyasaland–Tanganyika boundary cuts his sphere of influence, the Kyungu is still often consulted on tribal affairs across the border.[2]

622 (*b*) *Nyakyusa*. The government of Tanganyika Territory has grouped the 100 or so traditionally independent chiefs into eleven court districts, with one chief as President
642 of the Native Court in each. These eleven chiefs, together with the two presidents of the Ndali and Lambya courts, are federated, and have an appeal court and joint Native Treasury of their own. In the eleven native courts most of the traditionally sovereign chiefs are entitled to sit with their great commoners, and assist the President and his great commoners in the hearing of cases. The bulk of the legal business previously transacted by each chief in his own country is now taken to court, but the power of the great commoners to settle disputes by arbitration in their separate villages is still the basis of the legal system. A poll tax, fixed at 9*s*. per annum (1938) for adult males, was introduced, and chiefs are paid small salaries, ranging from 5*s*., 10*s*., or 20*s*. a month for ordinary chiefs, to 80*s*. or 100*s*. a month for court presidents.[3]

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[1] Wilson, 5, 1939, pp. 69–85.

[2] *Native Affairs Report*, 1933, p. 6.

[3] Wilson, 3, 1938, p. 15.

643, 622

Ngonde FN 17
Nyakyusa

[Since the Ngonde and the Nyakyusa peoples have slightly different political systems, for the purpose of this file, the Kyungu of the Ngonde people is marked for 643, and the chiefs of the individual chiefdoms for 622; however, when the text is referring to the Nyakyusa people, the chiefs of the individual chiefdoms are marked for 643, and the village headmen for 622.]

595 and children a man has to assist him the more wealth he can produce. The man and his unmarried sons hoe, his wives and young daughters plant, weed and harvest, fetch water, cut firewood and cook the food ; and in other practical activities there is equally fruitful co-operation within the household group.

591 When a man marries he takes his wife from her father's village to his
own where he lives with a group of contemporaries. Each village is in
621 origin an age-group, formed by the sons of some village of adult men who
882 leave home one by one as they reach the age of ten to twelve years and build together on ground set aside for them by their fathers. It is not decent, the Nyakyusa maintain, for a boy to sleep at home after any vigorous interest in sexual activity has awakened in him ; and so, for the fifteen years or more between leaving home and marriage, he sleeps with bachelor friends in a boys' village. He and a group of friends go round in turn to the houses of their respective parents for meals, and each hoes his own parents' fields, but all return to the boys' village at night.

621 As the members of the boys' village grow older, younger boys just
leaving home begin to be refused admittance to it and so either start a
882 fresh village of their own nearby or else join a village of their own con-
361 temporaries which has already been started. Boys' villages are thus forever hiving off from the villages of men. At first a boys' village covers but little ground for, as its members are unmarried, the houses are small and close together and there are no garden lands attached to it. But as the young men marry one by one the village expands, houses are built bigger and further apart and some adjacent ground is brought under cultivation, until at last it assumes the normal aspect of a village of adult men.

621 A village thus consists of a male age-group with wives and children attached. Wives may be of any age and there is no such formal age grouping among them as among the men. And, as time goes on, some men too may enter the village who are not exact contemporaries of its other members. When a man dies his heir, either a younger brother or a son, often comes to live in his village ; nor are strangers who apply for land in a village ever, I think, refused on the ground of unsuitable age. Villages vary considerably in size but average forty to fifty households.

At first a village of boys, as we have said, is built on ground allotted to it by the village of their fathers ; but a new allotment is made ceremonially at the " coming out " (*ubusoka*) of the young chiefs.

631 Every generation each chiefdom of the Nyakyusa is divided into two
halves, a fact which is hard to understand until it is realized that the
622 Nyakyusa consist of a number of immigrant groups which have, until very recently, been expanding their territory within the district and

incorporating the previous inhabitants. Now saturation point has been 631 reached; their chiefdoms cover nearly all the available land and include 62 in their membership all the indigenous people; and the custom of dividing chiefdoms into two is doomed. At the moment, however, it is still a vital part of their constitutional law. The division of a chiefdom is apparent from the moment that a ruling chief marries his two great wives, for he builds their houses separately, one in each "side" (*ulubafu*) of his chiefdom. The son of each great wife inherits that side of the chiefdom in which his mother's house is built.

When the ruling chief begins to get old the two heirs are ceremonially 62 "brought out" and recognized as chiefs, though they do not assume full 62 powers until their father's death. And their "coming out" is also the "coming out" of all the young men, of all the boys' villages which have been built by the sons of the old chief's men. At the "coming out" each such village is formally given land by the old chief and his great-commoners, often in a new place.

In every village there is a headman whose title, *ulifumu*, is simply a 62 specialized use of the general term for a member of an old family who is not a chief. Every commoner is called an *ulifumu* in his home chiefdom.[1] 62 These two uses of the term I distinguish by calling the village headman a "great-commoner." Great-commoners, then, are selected for their wealth and ability by the older great-commoners of the chiefdom and hold office for life. In the boys' villages before the "coming out" they are chosen by the older great-commoners—those in charge of their fathers' villages—on that side of the chiefdom. If they prove satisfactory their appointments are confirmed by all the great-commoners of the old chiefdom at the "coming out," if not new ones are then selected.

At the "coming out" the young great-commoners are ritually [754] treated with medicines to give them the power of witchcraft which they are expected to use in the interests of morality, while the young chiefs are treated with medicines to make them fierce and impressive themselves [78 and to ensure the fertility of their land and the prosperity of the people under them.

Traditionally the young chiefs assumed authority, each in the young 62 men's villages which composed his own new chiefdom, immediately after 62 the "coming out" and in the old villages in one side of his father's chiefdom when his father died. To-day the position differs for the Administration does not recognize the young chiefs at all until their father is dead.

The separation of chiefdoms established at the "coming out" is often modified subsequently. In the old days brother chiefs frequently

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[1] Vide infra p. 33.

621 fought each other and one was sometimes reduced to a subordinate position by the other. Such subordinate or minor chiefs did not always ● 622 lose all power, some men often continued to live with them, but not many, for they were poor and could not afford the feasts that prosperous and powerful chiefs gave to their warriors. Nowadays the junior of the two young chiefs, in the majority of cases, becomes subordinate to his brother immediately, for the Administration normally recognizes the senior of the two only, and a salary is paid to him alone on the old chief's death.

The number of villages which " come out " with each young chief usually varies between four and eight. But if a chief is subsequently reduced to a minor position he will often end his life with one village only [624] of adult men and one village of their sons. For people move from minor chiefdoms and the depleted villages that are left gradually coalesce under the leadership of one of the great-commoners. The son of a minor chief may succeed to his father's position, but only one son will do so ; a minor chiefdom is too small to be divided and has no formal " coming out " of its own ; its young men attend the " coming out " of the superior chiefdom.

621 423 So much in outline for the political constitution of the separate Nyakyusa chiefdoms. Some account of it was a necessary preface to the discussion of individual land rights, since it is within this political structure that they have validity. If, for example, the boundaries of a village are changed at the " coming out "—and they very frequently are—then no individual rights to village land can be maintained outside the new boundaries.

631 Prior to the arrival of the Europeans there was no paramount political authority among the Nyakyusa, but a number of tiny independent chiefdoms side by side, with minor chiefdoms in some cases attached to them. Of these traditionally independent chiefdoms there is none, I think, which to-day exceeds 3,000 adult male members, and most of them are far smaller than that. This smallness of scale, which is difficult at first for a European to grasp, is the fundamental characteristic of primitive society, in the organization of which personal relationships are predominant, wherein social relationships, that is, mainly subsist between personal acquaintances. In the old Nyakyusa polity impersonal relationships, effective social bonds linking together men who were personally unknown to one another, though they existed had relatively little importance.

648 184 Just south of the Nyakyusa, in what is now North Nyasaland, live the Ngonde[1] people, whose language and culture was and is very similar to that of the Nyakyusa. They were, however, slightly more civilized in that they were in closer contact with Arab and Swahili ivory traders ; and

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[1] Better known to Europeans as *Konde*.

the wealth derived from this trade enabled one of their chiefs, Kyungu, 648
to maintain himself as paramount over all Ngonde. Among his people 184
impersonal relationships thus had a greater importance. And it was, I
believe, the historical isolation of the Nyakyusa from any considerable commercial contact with the outside world which prevented the rise among them of a paramount chief.

To-day the Nyakyusa are in process of integration with the civilized 173
society of the world and the independence of their minute chiefdoms has
inevitably passed away. The traditionally sovereign chiefs have been 622 ●
grouped in seven court districts with one chief as President of the Native 692
Court in each; and these seven chiefs together with the two Presidents of the Ndali and Lambya Courts are federated, with an Appeal Court and joint Native Treasury of their own. In the seven Native Courts most of the traditionally sovereign chiefs are entitled to sit with their great-commoners, and assist the President and his great-commoners in the hearing of cases. The bulk of the legal business previously transacted by each chief in his own country is now taken to Court, but the power of great-commoners to settle disputes by arbitration in their separate villages is still the basis of the legal system.

A poll tax, now (1938) fixed at 9/- per annum for adult males with no 651
additional tax for plural wives, has been introduced and chiefs are paid 622
small salaries ranging from 5/-, 10/- or 20/- a month for ordinary chiefs to 80/- or 100/- a month for the Court Presidents.

The Nyakyusa, as we have previously mentioned, consist of a number 563
of immigrant groups who have spread among and incorporated an indigenous population. The main immigrant groups were three in number and are distinguished to-day by the names of "Nyakyusa," "Kukwe" and "Selya." As all these three groups together (including those who are now incorporated in them) call themselves "Nyakyusa" to the outside world, I distinguish the one group to which the name more particularly belongs as the "Nyakyusa proper." The Nyakyusa proper live in the plain of Mungonde and up on the higher ground as far north as Tukuyu, the Kukwe live north of them around the base of Rungwe Mountain while the Selya live in the east of the district, between the Nyakyusa proper and the Kukwe, right under the wall of the Livingstone Mountains. Between the three groups there are minor differences of dialect and custom.

The extent to which the indigenous groups retain any separate identity varies in accordance with the number of the immigrants and the date at which they reached them, but over a large part of the district fusion has been complete.

We have already discussed the economic relations between the 471
Nyakyusa and the Lupa gold fields which provides them with a market

166 In discussing the taking up of land after a move it is therefore
425 necessary to distinguish clearly between men who move to villages in
which they are newcomers and those who return, after a period of absence,
to their home villages.

166 Normally land for building and gardens is granted to a stranger by
the villagers concerned acting through their great-commoner, not by the
425 chief, who is usually informed but seldom interferes. Only if a member
●622 of the chief's own family is moving within the chiefdom from one village
to another or if a very important stranger comes from outside, he may go
624 to the chief and ask for a building plot, and the chief may then exercise his
621 right of overlordship and grant the request. But this is a special and
unusual case. Village land is primarily governed by village relationships. It is villagers who grant land to an ordinary newcomer and thereby accept him as one of themselves. His own wishes are taken into account whenever possible ; if he sees a piece of ground which attracts him and no one else has a claim to it then it will be his.

An old Kukwe great-commoner thus explained the granting of land to a stranger : " First the stranger from another country comes to a friend in this village and says that he wishes to build here, then the friend brings him to me, the great-commoner,—or he may come directly to me in the first place ; and I go and tell the chief. Then the chief, according
[431] to the old custom, would say ' Good ! Go and cut a banana bunch for him,' and I would cut a banana bunch from my own homestead, not from anyone else's, and the chief would send one of his wives to me with cooked food for our guest the stranger. This custom is now no longer followed in our country but in the more remote chiefdoms they still cut bananas and cook food in such cases ; here the stranger now just comes and is not given anything. And again when he wishes to begin building we go and tell the chief, who tells us to give him a plot to build on, and then my friends and I choose a place for him." " Does not the chief have a say in choosing the plot ? " I enquired. " No, not the chief ; does he know the details of our land-rights ? He does not. It is we who choose the place for the newcomer. But if he does not like the plot we give him and has himself seen a place which he prefers he will ask us for it and maybe we will give it him." " Do not people sometimes go directly to the chief to ask for land ? " " No, they always come first to us, the commoners, not to the chief ; how should a man presume to approach the chief by himself ? No, a newcomer always approaches us, and it is we who inform the chief. I, the great-commoner, may go alone to tell the chief or I may take the stranger with me, as I please." And a young Kukwe chief confirmed this, with perhaps a shade more emphasis on the part played by the chief: " The stranger goes first to the great-commoner

and makes his request for land, then the great-commoner goes to the chief 166
and informs him that so and so has come with a request for land, and he 425
asks his opinion as to which piece to give the stranger. Then the chief 621
suggests that perhaps the great-commoner knows of a suitable plot. So 622
the chief and the great-commoner discuss it together and decide. Then 624
the great-commoner shows the plot to the stranger."

It is quite clear in my evidence that, though the normal custom is to consult the chief when a newcomer is given land, yet the newcomer's title is in no way invalidated if the great-commoner omits to do so at the time and simply tells the chief later after the grant has been made.

So much for the initial reception of a stranger and the grant of a building plot, the next step is the grant of garden land. But before discussing this we must emphasize the willingness with which strangers are received both by the villagers and the chief. Men are still scarcer than land in most places and the prestige and prosperity of villages and chiefdoms is increased by each addition to their membership. Strangers are always given a house to sleep in while building their own and are usually given food as well, both formally by the chief and great-commoner and informally by the neighbours. The great-commoner who told me [431] that the formal custom of giving food had lapsed in his country belongs to the chiefdom which adjoins Rungwe mission, a small chiefdom to which very considerable immigration has taken place in the last forty years; there the relative scarcity of land is reflected in a decline of hospitality to newcomers, though none have yet been refused land. But the usual custom still is to receive them generously. "It is an ancient custom amongst us to welcome strangers, so that the chiefdom may increase and flourish."

In giving garden-land to a newcomer the procedure differs slightly 166
according to the value of the land in question. The great-commoner 425
takes him out and shows him, if the land is scarce and valuable, an 621
exactly demarcated piece, if it is cheap and plentiful, a vaguely defined 624
area within which he can hoe where he likes. In the upland chiefdoms, for example, the best maize and bean plots are scarce; men hoe the same ground year in year out, planting maize and beans alternately in it or, sometimes, maize only with an interval of a few months fallow each year; and in this case the boundaries of each man's ground are precisely marked. But for the growing of sweet-potatoes and millet there is plenty of good land available and men hoe more or less where they please. "A stranger named Tusekelege," I was told, "came to the village of Ibungila (in Kukwe country). Amongst other things he asked for a maize-garden, so they gave him the ground of a man Mwasumbi who had moved to Masoko. They told Tusekelege that he could hoe only the same extent of ground

Again if the villagers expect a man to return and if they themselves 166
wish him to do so, then his homestead is normally kept for him. If he 423
refuses their first formal invitation to return they may give his homestead
to a newcomer meanwhile, but only provisionally; and if he does return 621
later, whether by another formal invitation or on his own initiative, then
the newcomer is moved elsewhere.

The difficulty arises when a man comes back unexpectedly to find 166
that a newcomer has been given his site unconditionally. Perhaps the 423
villagers are indifferent to his return and so have omitted to keep his site
for him; but far more frequently it is that he has been many years away 425
and has refused several invitations to return, and so has led the villagers 621
to think that he is never going to come back at all. But, whatever the
reason, if his site has been given unconditionally to a newcomer, who has
then built his own house upon it, the villagers cannot possibly evict the
newcomer in his favour; his only chance of getting the old site back lies
in an indirect and tactful approach to the chief. The chief, as overlord, [622] ●
has the power to evict the newcomer if he chooses, but he may not choose
to do so. And, if he does not, then the man will have to build elsewhere.

I was discussing these points with one of our servants whose father had recently moved from Bulindanajo, his home village in Mwaipopo's chiefdom in Selya, to a village in the adjoining chiefdom. I asked him to explain to me his father's potential rights, if he were to return later to his home village, to enter again into possession of his old homestead.

" If a man, like my father for instance, has moved and his friends wish him to return they go to fetch him back, but if he then at first refuses to return they may put in a stranger on his homestead. But in doing so they inform the stranger that the owner of the homestead is away in such a country, that he, the stranger, is just eating the bananas meanwhile (i.e. is only in temporary possession) and that, when the owner returns, he will have to leave this place and build on another site which they will then give him for his own. In that case when my father returns, if he wishes for his old site, his friends will move the newcomer away, because they have told him beforehand, and my father will have his own old site.

" As it happens, however, when my father did actually move recently they did not put any newcomer on to his site, but Mwakyoma . . . . one of his neighbours chose to build there himself. And him they do not inform of my father's rights, for he is already aware of them. If my father returns later his friends will turn Mwakyoma out telling him to go back to his own old site. For it always happens with a good homestead on which bananas do well that people covet it, and when the owner moves,

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[1] This is a boast, irrelevant to the main argument.[a]

[a] [This footnote refers to p. 36. — Analyst]

166 someone, coveting the vacant place, goes and builds there. But if it is a
423 neighbour he knows that it is not his own and when the owner returns he
425 relinquishes it and goes back to where he was before.

621 "It may happen, however, that the owner of a homestead moves and lives many years away; his friends go to fetch him but he continually refuses to return, until they begin to think that he has moved finally and forever. And, in that case, they may, perhaps, put a man in there without informing him of the existence of any other owner. The newcomer builds a house and thrives. And if the previous owner then after all comes back they do not evict the newcomer; shame prevents them, for they never told him of any such possibility. Then the old owner, as it were my father for example, seeing that another is in occupation of his site goes to a different village in the same chiefdom and asks for a site. But the great-commoner to whom he goes asks him why he is approaching him—'It is true,' my father then answers, 'that I have a place in Bulindanajo and the graves of my family and my trees are there, but another man has
● [622] built upon it.' Then the great-commoner gives him a site, but he also goes to tell the chief what has happened. Then the chief, Mwaipopo, summons the men of Bulindanajo and asks them why they have driven my father away, on his return to the country, from the site that was always his. The villagers admit their mistake but explain to the chief that, as they thought my father was never going to return at all, they put in another man. So they discuss the matter; and the chief, if he so wishes, may summon the present occupier and tell him that his friends deceived him by omitting to inform him of the probable return of the owner of that site and that now, as the owner has returned, they will have to move him and give him another site; and thus the chief evicts the present holder. But such an action must come from the chief, his neighbours cannot evict the occupier, for they gave him no initial warning. So then my father would return to his own old site. But maybe in such a case my father would himself prefer to build elsewhere, he would say to his friends that, as another had built on his site, he would be content to watch over his family graves from afar and to build in a different place."

As for his old garden-land, to that too a man has a title on returning to his home village, but it is only scarce and valuable ground that he will ever trouble to claim if others are in possession. At first, when he moves from the village, his fellows, if they intend to invite him back, keep his gardens for him just as they keep his house site; but if he refuses to return at first then maybe the ground is given to others. But he can always recover it later when he does return. It is easier to get old [illegible] back than it is to get a house site, for no great hardship is involved for

evicted man. And it is even possible sometimes to make good a claim to 166
the old gardens of one's father, even although one has never hoed them at 423
all oneself; this is more difficult however, the claim may be refused or 425
alternatively a compromise may be effected by dividing the land in 621
question between the claimant and the present possessors.

As an example of the keeping of gardens vacant for a man who is 166
expected to return we may cite the story of Nyambo, a Kukwe, as it was
told to me by a young man who lived near him. This case is of particular 423
interest as it brings out two points to which we have not yet referred; 621
firstly that the chief himself sometimes takes the initiative in inviting a 622
man back, and that his doing so widens the invitation to include all the villages of the chiefdom, not only the man's old home village; and secondly that it possible to build in one village of a chiefdom and own gardens in another. This second point will be discussed again later.

"A man named Nyambo moved because eight of his cows all died in quick succession and he thought that his neighbours, maybe, had bewitched them; but he moved without telling people of this reason. After he had spent eight months away, however, the chief sent his great-commoner to enquire of him why he had moved and left his chief wondering, and Nyambo replied that he had moved because of the death of eight of his cows all within a few days of one another, a fact which had led him to suspect that his neighbours hated him; and he would never, he told the great-commoner to inform the chief, be persuaded to return. So the great-commoner reported all this to the chief. Whereupon the chief suggested that it would be a good thing to go and fetch Nyambo back forcibly. And he, the chief, went in person with a crowd of men from Nyambo's old village and they just seized upon his furniture and drove off his cows and took them all home. But even so Nyambo refused to return and spent another two days where he was. Then they sent again to urge him to come back and at last he agreed because the chief himself had begged him to do so; he said, however, that he would prefer not to build in his old place, because his cows had died there, but rather across the river in the village of a different great-commoner. And so he did. None the less he continued to hoe his old gardens, and he still does so. They had left his gardens vacant because they had always meant to fetch him back. Now that he has returned and gone to live in another village they have given his old building site to a newcomer from Masoko, but his gardens are still his own."

The story of Kalonga, another Kukwe, exemplifies a man's right to 166
reclaim his own old gardens. It will be noticed that the ground which 423
he reclaimed was of particular value. 425

166 " Kalonga had moved from the country of Kissokola to Masoko and
423 other people had taken his ground and hoed it. It is the kind of ground
425 which we call *umfweje*, rich soil near water. Kalonga had moved because
of illness, several of his children had fallen sick and more than one had
died. After he moved his neighbours never went to invite him back.

" Now Kalonga himself did not come back to live, but he brought
166 back his mother. She had gone with him, but then she began to complain
423 that he had taken her to an unpleasant country and she would prefer to go
425 home ; so he came back just to build a house for her. He did not build
●622 for her in his old village but asked another great-commoner (of the same
chiefdom) for a site ; he did however go to the chief to reclaim his old garden (the *umfweje* to which we have already referred). Now four men had divided the ground between them ; they had approached the great-commoner and asked for it and he had referred them to the chief, fearing that he might be blamed for giving the ground away if Kalonga should return subsequently. And the chief agreed that they should take it, so as not to let it lie idle.

" So when Kalonga came and reclaimed it the chief pointed out that he had moved and left the country (and so had no claim to the land). But no, Kalonga replied, he had not moved, for see he had brought back his mother and built a house for her, which was exactly equivalent to living in the chiefdom himself. And the chief admitted his argument and agreed that, so soon as the present holders had reaped their standing crops, he should re-enter into possession of his own ground. So now Kalonga comes regularly with his younger brothers and they hoe the land quickly (being many) for their mother and go home again. Kalonga is of an old family and his father is buried in that chiefdom."

166 And finally the story of Enoch the son of Mwakajileke, another
Kukwe, well illustrates the more limited rights of a son to claim his father's
423 old gardens which he himself has never hoed.

425 " Mwakajileke built in the village of Ibungila, and he died there in
622 1925. He had three sons, all of whom moved after his death ; one of
624 these sons, whose name was Enoch, went and built at Kyimbila ; and
meanwhile the chief gave the garden-land of Mwakajileke to other people. Part of this land was cultivated by a commoner named Gwaselya but he too, later on, moved into another chiefdom and the land was left unused. Then Enoch returned to the country to find that no one was now hoeing the ground which his father had used to hoe, so he approached Mwangokile, the great-commer, and asked for it : ' As no one is hoeing your father's land,' Mwangokile replied, ' you may go and hoe it yourself, but there are some other men who want it and they have already asked me for it, so I must divide it between you.' So he went with them and marked

166 out boundaries, drawing lines on the ground ; he divided the land into
423 three portions, one for each. The others were strangers to the chiefdom
425 but had taken a fancy to that piece of land."

● 622 The sentence in this story " The chief gave the garden land of
624 Mwakajileke to other people " deserves remark for it in no way implies any other custom than the one we have previously described. And it illustrates the dangers of relying too much on verbal statements of custom. When a stranger is given land by a great-commoner after reference to the chief he is commonly said to have been given it by the chief. The chief, from one point of view, is the overlord and the great-commoner acts for him. But, and this is an essential qualification, the great-commoner nearly always so acts for the chief and, save exceptionally, it is wholly incorrect for the chief to grant land directly. The great-commoner acts not only for the chief but also as the representative and leader of the villagers ; and in relation to them the chief cannot exercise his rights of overlordship save occasionally and in particular circumstances.

166 The old Kukwe great-commoner whom we have already quoted
423 explained this to me very clearly : " Occasionally one of his own men will
ask a chief to give him ground to hoe in another village, ' If indeed you
425 say that the land is yours ! ' (challenging the chief to assert his right of
621 overlordship). Then the chief agrees that all the land is most certainly
622 his ; but still, if it is possible, he tells the man to go to the commoners of that village and ask them for land. If the chief does not do this (but makes a direct grant of land) we blame him for not being a true chief : ' Who is it,' we ask him, ' that has built up this country ? Did you do it all by yourself ? It is we the commoners who have built it up ! And how is it, then, that you give this man land without consulting us ? ' "
[754 Nor is the censure of his people mere idle talk for a Nyakyusa chief, he
626] fears that they may bewitch him, that the witches among them, led by the great-commoners of the several villages, may come in dreams at night and cause him to sicken or to die.

166 So much for the initial grants of land to newcomers and the rights of
423 men returning to their home chiefdoms. If a man goes back, after moving, to a chiefdom which is in no sense his home, where, that is to say, he is not a member of an old family but in which he has himself spent some years, he is treated as a newcomer. He is welcomed but he has no rights to the ground, whether building-site or gardens, which he previously occupied.

423 Once established in a village, however, any man can hoe any unowned
425 ground within its borders and thereby make it his own. A newcomer for

423 are used for house building, while the *syunguti* produces a fruit (*indilolo*)
824 which is both delicious to eat and also full of seeds which are dried and
crushed for ointment (*inyemba*). Of the two trees the bamboo is the more valuable.

423 Now among the Kukwe and Selya groups rights in these trees are
425 somewhat similar to rights in the valuable crater plots. When a man
621 moves, his bamboos and *syunguti* trees, unlike his bananas, do not revert
to the villagers; normally they continue to belong to his nearest kinsman in that chiefdom, who cuts and uses the bamboos and picks the fruits of the *syunguti* trees. If the villagers give the site to another man then the newcomer has no rights over these trees unless the kinsman himself gives them to him. But it sometimes happens that, where only *syunguti* trees and not bamboos are involved, the kinsfolk do not bother to exercise their rights; then the trees are treated like bananas, picked by the neighbours until a newcomer is given that plot, and then by him.

423 If however, among the Selya and Kukwe groups, a man moves
425 leaving no kinsfolk near at hand, then the chief (*umalafyale*) as the supreme
overlord has a right to his trees, and if they are near the chief's own place
●622 this right is exercised; he cuts and uses the bamboos and his wives pick the *syunguti* trees. If another man is given the land by the villagers to build on then he goes and asks the chief to allow him some of the *syunguti* trees, and his request is usually granted, the chief gives him two or three of the trees, keeping two or three for himself. But the bamboos, being more valuable, are usually kept altogether by the chief. If, however, the ownerless trees are at a distance from the chief's place then he normally does not trouble to claim the *syunguti* trees but only the bamboos. The former are at first picked by the neighbours and later given by the villagers to a newcomer together with the site. And, even with the bamboos, if they are a long way from the chief's place a "good chief," they say, will allow the newcomer to cut some of them without payment; but it is wholly within the chief's power to keep them all for himself if he wishes, and "bad chiefs" do so. Furthermore a chief does occasionally also exercise his right to claim an ownerless *syunguti* tree at a distance. If one of his wives comes and complains to him that she has no *syunguti* tree of her own, then he takes her to a site from which someone has recently moved leaving ownerless trees behind and there he gives her one of the trees; the rest he leaves as usual to the villagers and so to the newcomer.

423 Bamboos are men's property and only a man can claim them but
621 *syunguti* trees can be claimed by a kinswoman, a sister or a daughter, of
the old owner if none of his near kinsmen have troubled to do so.

423 We must here take note of a most significant modern development.
178 In the old days rights in trees could only be exercised by members of the

423 In his tenure of land every Nyakyusa man is related to some chief
who is his overlord. But their relationship is not confined to the single
● 622 element of land-tenure, it is just as many-sided and complex as is any
other human relationship; and even as we abstract from it the particular
set of facts that immediately concerns us here we must at once refer them
again to it if they are to be intelligible.

166 When a newcomer is received into a village and given land the chief,
as we have seen, is normally a party to the villagers' action, and in most
423 cases he himself ceremonially welcomes the newcomer if he comes from
622 outside the chiefdom by sending to him a present of cooked food. He
has gained a new subject and his power and prestige are thereby increased.
[427] As men are quite free to move from one tiny chiefdom to another and as
land is still relatively plentiful the phenomenon of rent does not exist
among the pagan Nyakyusa, there is no direct charge ever specifically
made in return for the right to build and cultivate. Nevertheless a chief
is a chief and his subjects' land is his as well as theirs and they are under
certain obligations to him.

622 Among these obligations that of providing cooked food for the
554 ceremonies of the chief's own immediate family is probably the most
important. When a chief's daughter, for example, is getting married
[585] women from all over the chiefdom bring food to entertain the bridegroom
and his friends on the day that they bring the bulk of the cattle. The
obligation to bring food, though not a legal one, is both reciprocal and
conventional. The chief is expected to kill one or two of the beasts to
feed his people and if he is mean about this, killing one where he should
have killed two, then on the next occasion his people are more reluctant
[626] to bring food. But there is also the sense of shame constraining
individuals. If the majority of households in a village provide food for a
chief on such an occasion, and the majority I think nearly always do so,
then the shameful meanness and unconventionality of defaulters is the
subject of adverse comment among them.

A chief also has the traditional right, still widely admitted to-day, to
send and take food, especially milk and bananas, from his subjects if he
has need of it. And we have seen already that men with more than one
wife are prompted to retain *busongo* bananas for themselves in order to
meet his demands without upsetting the peace of their households. This
[177] traditional right however is known not to be admitted by the European
Administration, on the grounds that a salary has taken its place, and is
therefore beginning to fall into disuse. Chiefs, I was told, often fear to
exercise it lest some man refuse obedience and take a complaint to the
Boma, nor are they willing to confine their demands to those men of
whose compliance they are certain. As the salary of an ordinary chief,

622 554 paid out of the Native Treasury from the taxes, rarely exceeds 10/- a month it may be doubted whether modern conditions are not in this, as in other respects, impoverishing the Nyakyusa chiefs.

622 425 178 A chief had the right traditionally to evict any man he pleased if he desired his site for his own personal use, giving him another in exchange. But this right is no longer effective : " It is now at an end," as a chief's kinsman told me, " for the man evicted will go to Tukuyu (the administrative capital of the district) and complain that his chief is turning him out of his home without good cause." It is however still perfectly possible for a chief to take any *unoccupied* site he pleases without reference to the local villagers. He may take it for himself or he may give it to a kinsman, and no objection to such an action on his part is ever raised. It is only if he gives it to an ordinary commoner that his people will criticize him.

622 425 Land once held by the kinsman of a chief at the latter's gift is more secure to him than any land can be which is granted in the ordinary way by a great-commoner ; for no one but the chief himself can ever finally take it from him. If he moves and the villagers wish to give the site to a newcomer then they must either send a message after him and ask his permission to do so or else get explicit permission from the chief, if the newcomer's title is to be in any way secure.

622 425 624 A case within my own knowledge well illustrates these points : Mwakobela, half-brother of chief Mwaipopo, had been given land in the village of Ipoma by Mwaipopo himself. Subsequently he had moved to Kibonde, a minor chiefdom under the jurisdiction of Mwaipopo, and had spent many years there ; and when I first met him he was living there still. But then he fell sick and, suspecting witchcraft, decided to return to Ipoma, only to find his old building-site occupied. For the great-commoner of Ipoma, thinking he had moved for good, had given it to a newcomer.

This grant of land to the newcomer had been irregular in more ways than one : firstly Mwakobela's permission had not been asked, secondly no reference at all had apparently been made to Mwaipopo, who subsequently denied any part in the grant and, thirdly, the great-commoner had not even consulted his fellow villagers ; if he had done so they would, so one of them told me in discussing the case, have reminded him of the necessity of first asking Mwakobela's permission. The newcomer however had been given the site unconditionally and when Mwakobela reclaimed it he refused to move ; but the rights of Mwakobela were unquestionable and he had no difficulty at all in getting him evicted.

I went to visit Mwakobela a few weeks after he had taken possession of the site and he told me about the eviction : " I approached the great-commoner and asked him who had given Mwangesisye (the newcomer)

425 permission to build on my plot, perhaps, I suggested, it was Mwaipopo (the chief). But no, he told me, it was not Mwaipopo but he himself ● 622 who had given the permission, and he said, further, that Mwangesisye 624 would have to move, as I wished to come back, and that he would give him another site. But Mwangesisye refused to move and said that the place was his. So the next thing was that, at a funeral . . . . . I asked Mwaipopo who it was that had given my plot to this Mwangesisye who now claimed it as his own and made as if I had never built there, perhaps Mwaipopo himself had given it to him. And all that Mwaipopo replied was no, he had not done so.

"Then I simply brought my sons with bamboos and told them to begin building. Off goes Mwangesisye to Mwaipopo! 'Mwakobela,' he complains, 'is driving me away from my home!' 'Who gave you the plot?' asks Mwaipopo. 'The great-commoner gave it me.' 'And what does he say now?' 'He says I must move.' 'Well then you had better move!'

"And then, next morning, Mwangesisye came to me and said 'My friend I was wrong, the place was always yours, I will move; but the hanging bananas and the coffee trees I shall take with me.' 'Why certainly,' I replied, 'you may cut the banana bunches and transplant your coffee trees, I shall not object.' Thereupon the great-commoner offered him another site with bananas already growing on it, but he refused and said that he intended to return to live in the chiefdom from which he originally came.—And now his sons have carried away his house and there is only left that one hut over there (pointing) which they will take away shortly, and then later they will transplant his coffee trees also."

It was made abundantly clear to me that the important point was the fact that Mwakobela had originally been given the land directly by Mwaipopo, the chief; had he been given it in the ordinary way by the great-commoner with Mwaipopo's concurrence he would have had no claim on it at all. A member of the village of Ipoma explained this to me very lucidly: "If, in the first instance, Mwaipopo had not made the grant, if Mwakobela had approached the great-commoner and said that, as the plot was vacant, he would like to build there and if the great-commoner had agreed to this, then had Mwakobela later moved (as he did) to Kibonde and spent many years there and had the plot meanwhile been given by the great-commoner to Mwangesisye—Mwaipopo all the time being in no way involved—then, if Mwakobela had returned and claimed the plot, the great-commoner would not have admitted his claim. If, in that case, Mwakobela had come to Mwangesisye and tried to evict him Mwangesisye would have complained to the great-commoner, who would then have addressed Mwakobela in some such terms as these:

' You, sir, are a chief ' (Mwakobela is one of the ruling chiefs ' kinsmen, all of whom are entitled ' chiefs,') how then is it that you wish to drive men away ? (For chiefs always desire to attract men to them !) Do you wish the two of us, you and I, to live together alone without any men ? In the first instance you simply came to me and said that you wished to build here and I agreed that you should ; but then you moved and I saw myself that you had built a new house and planted banana trees in another village and I supposed you had moved for good. Nor did you ever tell me that you might be coming back nor ask me to keep your site for you, you only told me that you were moving. So I cannot, as great-commoner, agree to evict Mwangesiye, I will find another site for you. . .' 425 622 624

" But as it was," my informant continued, " the site had been granted by Mwaipopo himself. Mwaipopo had simply informed the great-commoner that he had given Mwakobela a certain vacant plot in his village. And then the great-commoner was at fault in that he gave the place to Mwangesiye without consulting his neighbours ;[1] had he consulted us about it, and had he sent a message to Mwakobela to ask his permission to give the vacant site to another man, and had Mwakobela given the permission (he could hardly have refused it unless he were himself intending to return shortly), then again Mwakobela would have had no power at all to evict Mwangesiye. The great-commoner would have disallowed his claim, pointing out that he had been informed at the time and had agreed to Mwangesiye's building there. It was owing to the failure to inform Mwakobela at the time that he now has power to evict Mwangesiye."

" And supposing," I enquired, " that Mwakobela had not been the younger brother of Mwaipopo, the ruling chief, but just a commoner, a stranger from another chiefdom, and supposing that none the less he had approached Mwaipopo in the first instance and asked for land, instead of going to the great-commoner, how would that have affected this case ? " —" Well, in the first place, *Mwaipopo would have brought the stranger to the great-commoner* and the two of them, the chief and the great-commoner would have discussed together where to give him land and decide to give him a certain vacant plot." " And then," I asked, " if the stranger had moved to Kibonde and the great-commoner had given the plot to Mwangesiye, without informing him, could he then have returned later and evicted Mwangesiye, *or not ?* " " No, he could not do so ; had he attempted it the great-commoner would have disallowed the claim, asking

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[1] It is, of course, never correct for a great-commoner to grant land without consulting his fellow villagers, but the point here is that, had he consulted them, they would have reminded him of the necessity of consulting Mwakobela before making this particular grant.

425 ●622 624 him if it was his idea that the village should die out and leave him, the great-commoner, without men ? As he had moved, the great-commoner would have continued, the place was presumably distasteful to him and it had now been allotted to another man. The claim would certainly have been disallowed ! "

425 797 427 The examples in this paper have been taken almost entirely from pagan families. For Christians the situation is very much the same except where they live actually on mission land, there they are tenants of the Mission concerned and pay rent to it. And Christians, wherever they live, tend to be more stable in their occupation of land, since they are not forever moving in fear of witchcraft.

7. *CONCLUSION*

178 423 I have striven in this paper to make the individual land-rights possessed by Nyakyusa to-day intelligible to the European reader and to demonstrate to him their determining factors. Of these factors the following are the most important. The Nyakyusa were until recently an isolated and primitive people and so bring with them into the modern world a legal tradition based upon small social groups. This tradition is being inevitably modified both in theory and practice under modern conditions, but not out of all recognition ; for they are still a relatively isolated people and the system of indirect rule secures them, in general, against arbitrary legal changes. Within their legal system individuals have, as in any system they must have, certain precisely defined and enforceable rights—among them rights in land.

Many kinds of land, however, are plentiful, though less so than of old owing to the growth of population, the opening of new markets for food and the recent introduction of ploughs. And this cheapness of land is reflected at times in a lack of rigour in the enforcement of rights in it which is unfamiliar to the European observer. Sufficient land for all is a fundamental condition of Nyakyusa society in its present form, which has no place for a landless man.

[166 680] And, finally, the habitual movement of men with their families from one village to another to escape the witchcraft of their neighbours leads to a constant transfer of homesteads and gardens and is the main cause of difficulty in the administration of their laws of property in land and trees. This difficulty is greatest in the case of the newly introduced coffee trees which need continuous tending.

themselves, and with the Kisi. With the people of Mwela they 173
exchanged canoes for hoes. And from the Kisi also they got hoes, which 643
the Kisi in their turn had got in exchange from the Kinga. 439

Then, during the reigns of Mwangonde and his successors "the 173
sons of the Kyungu" began more and more to displace the territorial
nobles as rulers of the various districts of the Ngonde plain. They 643
became hereditary chiefs (*avanyafyale*), each of whom was succeeded by 565
two or more sons, who divided his country and tried to extend it. And 622 ●
thus the number of ruling chiefs now began to increase at a great rate. Each of the territorial nobles, on the other hand, was only succeeded by a single heir. Houses of chiefs were set up and a new hierarchy appeared, for the senior chief in each house ranked as the "father" of his juniors. The name of the founder of each house was preserved as a hereditary title borne by each head of that house in turn. Thus to-day we find in the Ngonde plain the house of the Katambas, (or Mwenitetes),[1] the house of the Kalongas, the house of the Mwakasungulas and so on, and, among the chiefs of Ngana, the house of the Mwafongos, the house of the Mwenengubwes, the house of the Kalombos, the house of the Kilupulas and so on. The heads of these houses were the great chiefs of Ngonde, subordinate to the Kyungu and each with a number of junior chiefs traditionally subordinate to him. Most of these great titles can be traced back to some important son either of Mwangonde or of Kasyombe; but in some cases junior branches also have acquired sufficient importance to be distinguished by hereditary titles which are borne by their heads[2]. Whenever the bearer of one of these great titles became the Kyungu, his old title was at once taken by a successor in his house.

The chiefs supplanted the territorial nobles and took their subjects for their own in this way: "A great many territorial nobles have lost their power, for the Kyungus were in the habit of sending their sons to build with them in their countries. A Kyungu would send one of his sons (i.e. a chief) to a certain noble saying 'I send this your son to build with you, his father'—for the nobles were called 'father' by the sons of the Kyungu—, so the noble would welcome him. But in after years the people would give their affection to the son of the Kyungu and the noble would lose his power. And yet, even so, in the old days the two of them, chief and noble, would remain on friendly terms." .... "Some of the nobles lost their power through the cunning of the chiefs. For example the noble Mwenifumbo used to have a country of his own,

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[1] This house, as we have seen, dates from the early period.

[2] The first Malema, for instance, was a son of Mwakasungula, the first Kajuni of Mwenengubwe.

[text continues on p. 21]

but then he was given a young chief, Mwakijule, to look after as a child. 173
The father of Mwakijule (who was not the Kyungu) asked Mwenifumbo
to bring him up ; but then when he grew up he became the ruler of the 643
country !" And others lost their power to young chiefs who had 565
married their daughters and then come to live near them. 622

Now all informants agree on three points : Firstly that it was the prestige of the royal blood which was responsible for this loss of power, secondly that the process was a gradual one and thirdly that the chiefs and the dispossessed nobles generally continued to live together on amicable terms. " The people gave their affection to the son of the Kyungu," but not all at once; some men at first would continue to regard themselves as the noble's men while others looked more to the chief. The noble acquiesced in this process and became in the end but the most important and respected commoner of the new chiefdom. For the chiefs apparently always treated such nobles with the greatest consideration, continued to call them " father " and to defer to their advice. The nobles retained all their religious functions and their right to participate in the selection of Kyungus and great chiefs, while their own titles continued to be handed on with due ceremony to their successors. All that they lost was leadership in war, the power of requisitioning food, together with the main responsibility for feasting the common people, and the formal position of chief justice. But in actual fact a noble's opinion on a law case was probably seldom disputed by the chief who had asked for it.

We have already suggested that during this middle period the 173
balance of secular power between the nobles of Ngonde and the divine
Kyungu himself began to change, and we have noted his descent from 643
Mbande and the stopping of the killing of his sons as undoubted examples 565
of this. But the nobles of Ngonde still had the real power at Mbande : " they alone conversed with the Kyungu ; no one else saw him except when they went in to make obeisance. All orders came from them. Even with the *masano*, the wives of the Kyungu, it was the nobles of Ngonde who put each one into the house of the Kyungu for a week at a time and then took her out and put in another. No one else built their houses near the Kyungu except these nobles (and their own immediate followers.)"

Such incidents as the going to war of Kyungu Mwakasungula, and the abandonment of the custom of building an enclosure (*ulupaso*) in the reign of Mwambelo[1] seem significant in the light of modern developments ; but we cannot be sure that any very radical constitutional change would

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[1] Vide infra pp. 28-9.

173 643 565 necessarily have followed from them, had modern conditions been different. The evidence is inconclusive.

565 642 622 Now not all territorial nobles in the Ngonde plain have been supplanted by "the sons of the Kyungus" even to-day; while in the hills inland they have mostly retained their power. And so in discussing the political system of Ngonde under the middle Kyungus, it is necessary to distinguish carefully between four different kinds of political unit: (1) the chiefdoms in the plain, each ruled by a hereditary chief related to the Kyungu; (2) the fiefs (if I may adapt this word from a feudal to a primitive context) in the plain, ruled by hereditary nobles unrelated to the Kyungu; (3) the fiefs in the hills inland, also ruled by hereditary nobles, but differing in many ways from the fiefs in the plain, and (4) the chiefdoms of the houses of Nyondo and Kameme in the hills.

642 622 This paper is mainly concerned with chiefdoms and fiefs of the plain. There each of the chiefdoms consisted, as among the Nyakyusa, of a group of age-villages, older and younger men living apart with their own contemporaries. At the head of each village was a headman, or great-commoner (*ulifumu*) chosen for life from among the villagers by the chief and the great-commoners (*amafumu*) of the senior villages of the chiefdom. Except in the case of very small chiefdoms each chief was succeeded by two or more sons who divided the villages among them. The transference of power from the old chief to his sons normally began in his lifetime at the "coming out" (*uwusoka*) when they were formally shown to the country as chiefs and magically treated. The constitution of every chiefdom was that of limited monarchy, for the chief was dependent upon his great-commoners, who advised and, in many ways, controlled him. In the status of chief and great-commoners religious elements played an important part.

642 622 643 565 But, whereas among the Nyakyusa each chiefdom, save the very small ones, was, in secular matters, quite independent of its neighbours and each chief was a sovereign, in Ngonde, on the other hand, the wealth of the Kyungu and the nobles of Ngonde made them the apex of a political hierarchy. And thus, while among the Nyakyusa the senior of two brother chiefs could only command his junior in religious matters, when they sacrificed to their common father's spirit, in Ngonde he could occasionally command him in other ways also, he could, for example, summon him to war or to hoe,[1] and he had a certain slight judicial authority.[2] Of two brother chiefs the junior was subordinate to the senior; in each of the great houses all other chiefs were subordinate to the head of the house, the great chief with a hereditary title;

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[1] Vide infra sections 4 and 6.

[2] Vide infra section 5.

[text continues on p. 24]

642 622 643 565 the great chiefs themselves were subordinate to Kyungu. But every ruling chief right up the scale, except the Kyungu himself, had also his own great-commoners and people directly subordinate to him. Moreover the subordination of some chiefs to others and of all to Mbande was a very different thing from the subordination of authorities in a civilized state. It was still above all a religious and ceremonial subordination, but in matters of secular justice and administration there was a very large measure of local autonomy.

Within the chiefdom the organization of families and villages was more or less[1] the same as that described in the first paper of this series, and need not be further described here.

642 643 565 Among the fiefs of the plain there was another hierarchy, depending not upon seniority of birth but upon priority of arrival in Ngonde. For each important immigrant who entered the country with followers of his own went first to an already established territorial noble, not straight to Mbande; and it was the already established noble, who then acted as his sponsor, took him to Mbande and told the nobles of Ngonde and the Kyungu of his request for land. The normal procedure then was for the nobles of Ngonde to be sent by the Kyungu to arrange with his sponsor where to settle him. And thereafter he ranked, at least for ceremonial purposes, as his sponsor's junior. Thus the territorial noble Kasyombe was junior to his sponsor Mwenekibuta, and so on. But no ruling noble was subordinate to any chief save the Kyungu. The nobles, both territorial and of Ngonde, describe themselves as "the great-commoners (*amafumu*) of the Kyungu," likening the relationship of the fiefs and the Kyungu to that of the villages of a single chiefdom and their chief.

642 565 The organization of each single fief seems to have resembled in many ways that of a small chiefdom, each was divided into at least two age-villages, so that old men and their sons should live separately; for it was taboo in all the Ngonde plain, as among the Nyakyusa, for father and daughter-in-law ever to meet. Kinship, however, was more emphasized as a reason for living together than in the chiefdoms, and we are told that the inhabitants of the fiefs were usually related, either as kinsmen or affines, to the territorial noble concerned; while the age-villages of a fief had no great-commoners at their head. Otherwise the customs which obtained in the plain, both in the fiefs and the chiefdoms, were, on the whole, homogeneous.

Each of the nobles of Ngonde had a few subject commoners of his own living at Mbande with him, divided up into two age-villages; so

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[1] The climatic difference determines certain differences in the system of land-tenure of Ngonde and of the Nyakyusa, but of these we have made no study.

000 structure. We shall see in later sections how many details of the
secular power of Mbande and of the lesser authorities were dependent
upon their religious functions. But the reverse is equally true.
796 Among the Nyakyusa, where the hierarchy of chiefs had scarcely any
secular content at all, the organization of religious ritual was far less
elaborate. Cattle were sent to Lubaga by the other chiefs to be
sacrificed for rain and health; but the "clearing out of the ashes" was
done by each chiefdom separately; there was no general first-fruit ritual
at all;[1] while, as war was never waged on a tribal basis, prayers and
sacrifices for military success were always undertaken by each warring
chiefdom alone.

643 Besides the Kyungus the great chiefs of Ngonde also were believed
to be able to avert local droughts and misfortunes in their districts by
● 622 offerings to their own immediate ancestors; and the lesser chiefs likewise
565 and the territorial nobles—each in his own little area. While
769 among the territorial nobles, the original owners of the land had wider
powers. It will be remembered that to them the first Kyungu is said to
731 have given head-cloths and asked for their prayers. Sometimes people
would prophesy future misfortune "at Kisindile", or "at Kaluma" or
"at Ifumbo," or would prophesy of present misfortunes that such was
their source. Then the territorial noble concerned[2] would be formally
visited by the nobles of Ngonde, and he and they together would offer
sacrifice to his ancestors on behalf of all Ngonde.

778 And then also there were sacred lagoons near the lake—Nthola,
776 Kambwe, Kibondo, Mulale and Katindi. They were associated not
with ancestral spirits at all but with a vaguely defined supreme deity
782 named Mbamba. And beside them also prayers and sacrifices were made
from time to time by the nobles of Ngonde.

771 Over these other spiritual powers we need not linger, save to
notice one most significant fact. The participation by the Kyungu in
643 the divinity of his ancestors was no isolated phenomenon in Ngonde.
565 The head of every family in the country, whether of chiefs or
622 commoners, was similarly placed; in his own family and, in the case of
a chief or noble, in his own area too, he was both a priest and a demigod;
he dealt with the spirits and by virtue of his relation to them
shared their powers; his anger could curse. The Kyungus were but
the greatest of many divinities. And thus there was in theistic ritual
a high degree of local and family autonomy; local or family misfortunes

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[1] Particular people among the Nyakyusa carried it out: reigning chiefs, senior great-commoners, prophets, and any person whose birth was held to be due to magical treatment of a previously barren woman. But only they.

[2] Mwene-kisindile, Mwene-kaluma, Mwen-ifumbo etc.

were dealt with by the local rulers or by the family-heads, not by 771
the central authorities. It was only occasionally that general fears or 643
misfortunes turned all men's thoughts together to Mbande. 565

Now the great-commoners of every chief were believed to have
independent access to his ancestral spirits and this gave them a spiritual 622
hold over him. If they compared him too unfavourably with his predecessors then, it was believed, those predecessors might hear and afflict him in various ways. And so it was also with the nobles of Ngonde and the reigning Kyungu. But as this belief was intimately linked with the belief in witchcraft it will be more conveniently analysed in that context.[1]

(b) *THE MAGICAL ELEMENT.*

Magic (the belief that certain particular objects, events, words or 789
actions, involving particular people in particular situations, possessed
in themselves an extraordinary power) was an essential ingredient of 643
the old pagan religion of Ngonde. While the greatest magical object in the country was, traditionally, the body of the Kyungu. And the fact that the central political authority of Ngonde was so largely vested in the nobles of Ngonde was due above all to their responsibility for controlling this magical object in the public interest.

If the Kyungu cut himself, and more particularly if his blood fell 789
to the ground, then it was the duty of the nobles of Ngonde to kill
him, lest the whole land be afflicted with disease; and if he was ill 643
likewise. "They considered that if his blood fell to the ground that 784
was his life falling. And they likened him to a god, considering it 753
taboo for a god to be wounded; they thought that if his blood fell to the ground it would turn into a sickness and all the people would die. And so, when the Kyungu was wounded, they thought it best to put him out of the way and start afresh with a new one. They thought it taboo for him to have even the tiniest wound on his body. And it was equally taboo for him to fall ill; everyone else, it was believed, would fall ill too; it was better to put him out of the way so that the people should keep well."

In consequence of this belief elaborate precautions were taken to 789
maintain the Kyungu's health. Sexual impurity was believed to be
magically dangerous to health in many ways and so the Kyungu, above 643
all men, must be guarded from it. It was not considered safe even 434
for his own wives to cook his food, lest one of them touch it during a menstrual period, and so young boys who had not yet reached puberty

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[1] *Vide infra* section 3 (c).

789 cooked it instead. One of the reasons for killing most of his sons, as we
643 have seen, was to lessen the danger of his wives committing adultery
834 with them, for adultery was a magical cause of sickness. His wives
themselves were jealously guarded.

643 Then again a Kyungu might not wade across the river lest the act
784 of doing so should magically bring a deluge of rain from heaven, he
821 had always to be carried.

789 And the breath and the growing parts of a Kyungu's body—his
hair and nails and the constantly replaced mucus of his nose—were
643 believed to be magically connected with the fertility of the Ngonde
764 plain. When he was killed his nostrils were stopped so that he was
826 buried "with breath in his body"; while portions of his hair and nails
and of his nasal mucus were taken from him beforehand and buried later by the nobles of Ngonde in the black mud near the river. This action was believed to "close up the land, to keep it rich and heavy and fertile, as it was when he himself lived in it."

789 Now the Lwembe of Lubaga had equally magical flesh, but the
other chiefs of Ngonde and the Nyakyusa had not. They could wade
622 across rivers, fall ill and be wounded without endangering their sub-
826 jects. But of all alike the breath and the hair and nails had a magical importance. Every ruling chief in both areas had his nostrils stopped by his great-commoners when nearing death, while portions of his hair and nails[1] were taken from him when living and buried after his death in a special place. The hair and nails were held to be magically connected through their growth with the growth of crops. "You see these nails of yours," said the man who explained the symbolism to us, "if you cut them do they not grow again?" (They do.) "And where does their growth come from? Does it not come from within the body?" (It does.) "Well then that is the reason, the great-commoners take power of growth from the chief in the form of his nails and hair."

789 Besides his magical body the Kyungu had a host of magical
possessions. There was the iron stool *Kisumbi* on which he was set at
782 his accession; once he had sat upon it he could not flee the position or
he would die. There was the drum *Mwenekelwa* whose note was believed to be heard by the most distant of the Kyungu's subjects. When it was beaten "all the little nobles from afar off would hear and obey the summons; they would all come together. Then we would tell them that so and so had not brought any ivory for a long time! Then they would come with tusks as tribute, to pay worship to the Kyungu." But sometimes the drum would refuse to sound and they would kill a

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[1] We were only told about the nasal mucus in the case of the Kyungu.

789 status it rightly belonged, he would at once fall down dead. And many
554 stories are still told of such happenings in the past.

And besides this there was the fact that the Kyungu, being the
643 richest man in Ngonde and in the most intimate contact with the ivory traders, could secure medicines from a distance, which had a greater reputation than local ones.

But, as in the theistic aspect of the religion of Ngonde there was
789 considerable local and family autonomy, so also was there in the magical
771 aspect; and here there was individual autonomy also. Lesser rulers had
554 lesser magic than Mbande, but still it was magic. Ordinary chiefs, for instance, had magically filled zebra tails which gave their people military success. And every individual could go to a doctor and exchange a little of his surplus food for magic. Success in love and hunting, in warfare and legal disputes, good crops and good health—all alike, it was believed, magic could give.

(c). *THE ELEMENT OF WITCHCRAFT.*

754 Both in Ngonde and among the Nyakyusa it was believed that cer-
tain commoners had snakes in their stomachs which gave them the power
622 of witchcraft (*uvulosi* or *amanga*[1]) and among those who had this power
624 were the great-commoners of every chiefdom. Normally a ruling chief was spiritually protected by his great-commoners from the malicious attacks of other witches, but, if he did wrong, then the great-commoners, so it was held, would cease to protect him and join in the attack.

Now in many circumstances the great-commoners' power of witchcraft and the power of the chief's dead predecessors were believed to act together. The anger of witches and that of the ancestors were sharply distinguished in theory, but in practice they often coincided. The great-commoners, for example, not only had the power of bewitching their chief but also of appealing to his predecessors to punish him for wrong-doing; and on particular occasions they were often believed to do both at once.[2] And the nobles of Ngonde had similar powers in relation to the Kyungu.[3]

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[1] *Uvulosi* is normally used when the act of witchcraft is disapproved of and *amanga* when it is approved of by the speaker.

[2] A point of considerable theoretical interest is raised by the repeated statements of our best informant on these matters that it was *because* they were witches that the great-commoners had this power of influencing the chief's ancestors, that they went to the chief's ancestors in their capacity of witches and in the manner of witchcraft (i.e. by means of the snakes in their stomachs). But our evidence on this point is not yet conclusive.

[3] So we were told when we put the question; but it was never volunteered. It was the hold which the nobles of Ngonde had over the Kyungu in consequence of his magical flesh which was the more emphasized.

754 622 624 642 These twin religious powers of the great-commoners in relation to their chief (or of the nobles of Ngonde in relation to the Kyungu) were important for the balance of the constitution, for they provided a most effective check upon the actions of the chiefs. If a chief kept within the bounds of constitutional usage then any illness that he had would be attributed by the diviners to some such cause, as the infidelity of his wives or the breach of a taboo; but if he broke some constitutional usage then that would be taken to be the cause of his next illness; the great-commoners, it would be held, were angry and so had made him ill.

It is hardly necessary to stress the local and individual autonomy implicit in the faith in witchcraft. Not only were the great-commoners as a group believed to have an irresistible power through their witchcraft over their chief, but so were the great-commoner and the leading witches of every village believed to have an irresistible power over other individuals within that village. And in both cases their powers were strictly limited, save exceptionally, by the bounds of chiefdom or village. Moreover witches did not always act as a group, an individual witch might maliciously cause another individual to fall ill. In all this the political hierarchy was irrelevant. But it was not irrelevant in dealing with accusations of malicious witchcraft; there proof rested with the poison ordeal and a journey had to be made to a great chief or a leading noble.

4. *ECONOMIC ELEMENTS (MIDDLE PERIOD).*

000 We have suggested in the previous section that the traditional religious paramountcy of the Kyungu and his nobles of Ngonde was an important factor of their secular power. But comparison with the Nyakyusa shows us that their control of wealth was equally important. The religious paramountcy furnished a mould into which the stiffening stream of wealth could run and there be minted into the form of sovereignty. Much of the wealth which reached Mbande did not stay there; it was passed back piecemeal to the local rulers of Ngonde, stamped with the divine impress of the Kyungu.

(a) *THE INCOME OF MBANDE AND OTHER AUTHORITIES.*

643 652 Now the traditional income of Mbande consisted of ivory, food, labour, slaves and cattle. Of ivory the Kyungu had a semi-monopoly in the plain and received tribute from the territorial nobles in the hills. Food was brought to him by the chiefs and territorial nobles of the plain, who also, with their men, hoed his public gardens (*imilasa*). Slaves and cattle accrued to him from tribal wars and from his offending

643 The gardens of the Kyungu were divided traditionally into public
(*imilasa*) and private ones (*imigunda gya masano*). The produce of the
652 first was mainly devoted to the entertainment of important guests—
chiefs, territorial nobles and the ivory traders from over the lake. That
of the second to the personal needs of the Kyungu and his household.
643 The public gardens were hoed and weeded by the great chiefs and the
651 nobles of the Ngonde plain with their subordinates and followers, the
private ones by the nobles of Ngonde with theirs.

The hoeing of his public gardens by the chiefs and nobles of the plain was as intimately connected with the religious status of the Kyungu as was the bringing of royal tusks to him, for the belief in his rain-making powers provided a moral sanction for it. Drought and disease, as we have seen, were often attributed to the displeasure of the living Kyungu; and the failure of some ruler to bring his people to work the public gardens was, so we were told, the most usual way of displeasing him. The wealth and the divinity of the Kyungu were inextricably linked. Nor without these public gardens could the lucrative ivory trade have been maintained. In the primitive world of Ngonde there were no "purely business relations;" tributaries and buyers alike had to be royally feasted.

643 In the hoeing of the public gardens the political hierarchy of
651 Ngonde was made evident, for each great chief came separately to hoe,
accompanied both by the local chiefs of his own house and by those
565 territorial nobles who lived near him. At an appropriate time either
622 the great chief or one of his noble neighbours would suggest going to
Mbande to hoe, and the former would then summon all his local chiefs.
But he could not summon the nobles; with them it was a polite arrangement between equals. "When they went to hoe for the Kyungu it might be a neighbouring noble and not the great chief at all who made the first suggestion; and then the two of them would go together with their followers. For the nobles are not subjects of the great chiefs but only of the Kyungu."

651 The main crop grown in the public gardens was millet (*amalesi*) for
241 beer. And at some time during the year all the chiefs and nobles[1] who
had brought men to hoe[2] them were summoned to taste "the beer of
476 the *mulasa*." So we see that, in one aspect, the hoeing of the public
273 gardens of the Kyungu was but an extension on a large scale of the

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[1] It is clear from our notes that each chief and noble brought to this beer-drink some of his people; but it is not clear whether he brought all those who had worked or only the more important among them.

[2] I speak of "hoeing" and "men." It is fairly certain that the women also came to weed afterwards and that they participated in the beer. We omitted, however, to find this out.

and say 'This is the new Kyungu.' And when they make obeisance to 643
Kyungu all the rest, both the chiefs and nobles, fall to the ground, but Kalonga alone remains seated, for he is the senior of the whole line."

In the succession to the great chiefdoms there was formerly a 622 ●
difference of procedure in the two royal lines, that of Ngelenge and that
of Ngana. 565
When a great chief of Ngelenge died, the nobles of Ngonde were sent by the Kyungu, both to the funeral and, later, to assist in the selection of a successor. "With the great chiefs of Ngelenge it is we, the nobles of Ngonde, who have always caught their successors. We catch Kalonga, Mwakasungula Mwambelo, Katamba (or Mwenitete) and Mwambungu.[1] But we have never gone to catch the successors of the lesser chiefs, nor used we to catch the chiefs of Ngana either, for they are of the female line.... When a great chief (of Ngelenge) has died we go and consult secretly with the great-commoners and then, if one of the dead man's immediate heirs is suitable we catch him, but if not we may pass them over and take someone else who is, it maybe, quite junior in that house but who entertains his people generously. Him we hit with a dry stick saying, we have you, you are M—(title of the great chief) now! .... The chosen man we set upon a stool; this is the ancient custom. We always (used to) select mature men for these positions, not just youths[2]."

"The great titles among the Ngana chiefs" we were told "are five: 554
Mwenengubwe, Mwafongo, Kalambo, Kilupula and Mwabulambo. In the old days the nobles of Ngonde did not go to catch them, because they were only the female line; they would summon their great-commoners to Mbande and enquire who was to succeed and, when they had discussed it with them, tell them to go and catch the selected man to be the new chief. Then the great-commoners would return and discuss it with the other four great chiefs of Ngana, after which they would catch the chosen man."

The qualities looked for both in a Kyungu and a great chief were 643
the same, with one exception: he had to be "a ruling chief....
elderly man....one who was respectful in his manner to the leading 622
commoners.....a wise chief who knew how to feed his people." 554
The emphasis on generosity in entertainment is most striking, every informant stresses it above all other qualities. Generosity and the possesion of abundance of food were the supreme traditional marks of a chief both in Ngonde, among the Nyakusa and in many other parts of Africa as

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[1] The house of Mwambungu was originally a junior branch of that of Katamba.

[2] Mwenendeka and Kyabinga. Other informants make it clear that not only the nobles of Ngonde but the territorial nobles of the plain also participate in the selection of these great chiefs.

643 well. The one additional qualification of a great chief was bravery in
622 war; the Kyungus never fought and so in their case bravery was less
554 important.

565 The succession of the nobles of Ngonde, of the territorial nobles of the plain and of the territorial nobles of the hills was similar to that of the great chiefs: the nobles of Ngonde themselves went and discussed with the leading men of the dead noble which member of his family to appoint in his place; and the immediate heirs were passed over if unsuitable.[1] But in the case of the territorial nobles the successor of the original noble sponsor or protégé of that family also took part in the discussions. It will be remembered that there was an, at least ceremonial, hierarchy among the territorial nobles, depending upon the priority of their arrival in Ngonde and the fact that a later arrival was always introduced at Mbande by some established noble and given land near him. And the relationship then established between the fiefs continued to manifest itself at every subsequent succession.

"Mwenelupembe was a Nyika but then he came here to Ngonde and the Kyungu gave him land by the lake. Then later Mwalugali came from Mwela, and Mwenelupembe told the Kyungu that he had come; whereupon the Kyungu sent the nobles of Ngonde with Mwenelupembe to give him land. And still, when a Mwalugali dies it is Mwenelupembe and the nobles of Ngonde who discuss with his men the choice of a successor. Then, still later, Kasembe came to Mwalugali who told Mwenelupembe, who told the Kyungu. Kasembe came without men; he came from Mwela like Mwalugali but was not a kinsman of his. So the Kyungu said that Kasembe should build with Mwalugali. Then last of all came Songwe with some of his relatives, to Mwalugali. Now Songwe was a kinsman of Kasembe's. Mwalugali told Mwenelupembe who, in his turn, told the Kyungu.——And the Kyungu decided that as Songwe and Kasembe were kinsmen they should be given land together, but a little apart from Mwalugali. And still they are associated, all four, and when one of them dies the other three come to the funeral and together send the message to the Kyungu. And the three of them consult with the nobles of Ngonde about the choice of a successor; they, the nobles of Ngonde and the relatives of the dead noble consult together,

622 The succession to the ordinary local chiefdoms of Ngonde was, like

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[1] Later in their conversation it was made clear, however, that, in the case of the more distant territorial nobles, both in the plain to the north and in the hills to the west, it was only to the successors of the most important ones that the nobles of Ngonde went in person. When a lesser noble died then the Kyungu would send to the great chief who was nearest (to Kilupula in the west and to Kalambo in the north), asking him to send men of his own to "catch" the successor.

that to the independent chiefdoms of the Nyakyusa, tied up with the custom of the "coming out" (*uvusoka*). In both areas the two senior sons of the two great wives of each ruling chief were publicly "brought out" about a generation after the "coming out" of their father; and from that time forwards the old chief went into semi-retirement while they divided his country between them. If it was a big country both of them would very likely be prosperous rulers; if it was not then one of them—the most generous rather than the senior—would probably in time attract the bulk of the people to him, leaving his half-brother little but the name of a chief. 622

Now both in Ngonde and among the Nyakyusa there was a certain tendency for other sons of an old chief, besides the two senior who were formally "brought out," to collect a few men round them and set up chiefdoms of their own. But it was in Ngonde that this tendency was most marked. And so today the chiefdoms of Ngonde are smaller than those of the Nyakyusa, for they have been far more split up. The reason for this difference appears to have lain in the very great prestige of Mbande, and so of all kinsmen of the Kyungu. There is a saying current in Ngonde: "Every son of the Kyungu is a chief." But no such saying is current among the Nyakyusa. And thus it has happened that often in Ngonde the men of an old chief have been divided up among four or five sons, not among two only; and the most successful of these four or five has not always been one of the two senior. If a junior son was a more generous feaster of men than his seniors he would die a greater chief than they, for many of their followers would leave them and join him. So we see that the formal passing over of a mean or poverty-stricken chief in favour of a richer or more generous junior, in the selection of the great chiefs, was but an extension of a principle which already worked less formally among the little local chiefs themselves. 622 554

And, further, it must be emphasized that the principles of succession to high office in Ngonde and the principles by which property is inherited there were, and still are, wholly distinct. When the immediate heir of a Kyungu or a great chief is passed over in the succession he does not thereby lose his inheritance. The wives and property of the dead man are indisputably his. Full-brothers are the first heirs and after them either sons or half-brothers, in accordance with different circumstances; while a sister's son can only inherit if all near patrilineal kinsmen are either still in their infancy or already dead. 428

The traditional laws of succession to the Kyungship, the great chiefdoms and the fiefs of Ngonde thus present the student with a most interesting balance between different principles: heredity was modified 643 622 554

643 by election; the election was made by the central power and the leaders
of the local populations in agreement; mature wisdom, courtesy and
●622 generosity in the use of wealth were all essential qualifications for office.
554 In arranging the succession to the local chiefdoms, on the other hand, the central power of Mbande took no active part. All these chiefs were related to the Kyungu, who was informed of every "coming out" as a matter of form, but that was all. In the case of these local chiefs the hereditary principles were modified only by popular choice, acting gradually over a number of years.

(c) *COMMON LAW.*

692 We must beware of letting our civilized preconceptions blind us to the fact that, though some common law must be maintained in every society, it is not always necessary for it to be maintained by a central political authority. In the primitive world of Ngonde Mbande played little or no direct part in the maintenance of common law; the great chiefs, the local chiefs, the territorial nobles, the great-commoners of the villages played a larger part; but even they usually left whole areas of law untouched to be enforced by the common people among themselves. The laws of marriage for example, seem to have been normally enforced by the two families of each married couple concerned, with the advice and assistance of their neighbours.

In a primitive society a man is far more helplessly dependent upon his relatives, friends and neighbours than he is in our own. He cannot normally escape them, for his world is so small. And this fact enables them often to constrain him effectively without calling in the aid of any constituted political authority whatever. Moreover even when it is necessary to call in the aid of political authorities it is often sufficient to call in those that have a local jurisdiction only. Centralized judicial institutions, covering wide areas, are rare in primitive conditions, because widely extensive social relations are rare also. The modern insistence upon the judicial functions of paramount chiefs in Africa is necessitated by the magnitude and complexity of the modern civilized world, in which law *can* only be maintained by central authorities; but, in many areas at least, this insistence is something new. That many African paramount chiefs had some judicial functions in former times is, of course, a fact, but those functions were often less extensive than they are to-day.

In Ngonde, however, there was traditionally no central court at all in which ordinary men could either bring cases direct or appeal from the decisions of their local authorities. At Mbande only cases of treason and insubordination against the Kyungu or the great chiefs were dealt

tional rivals of those of Ngelenge; most of the traditional reasons which
178 led them to accept the supremacy of a Kyungu of the house of Ngelenge,
643 whenever one was elected, have now ceased to influence them; while they
themselves, as we shall see in a moment, are now barred from the succes-
692 sion. Moreover the Kyungu's supremacy is now mainly operative in the
unaccustomed sphere of law. And so a new reason for admitting that
supremacy has had to be more forcibly presented to them than to the
other rulers of Ngonde.

Once forcibly presented, however, the new reason seems to have been admitted in place of the old ones without much difficulty. For in 1936, the next year, Kilupula spontaneously led his people to the Kyungu and formally handed over a cow to him, thereby re-establishing friendship and mutual respect between the two of them. The dispute has ended in a manifest harmony.[1]

It is relevant to mention here that in the first five months of 1937 only one case was taken on appeal from the Kyungu's court to that of the District Commissioner.

The general status both of the great chiefs and of the local chiefs
178 and nobles (the "Important" and "Village Headmen,") as also of the
565 great-commoners, has been radically altered by the new legal conditions.
622 Formerly these authorities were the mainstay of a primitive justice, but
624 to-day they could not possibly enforce any legal decisions without the
backing of the central Government. And this backing they do not have.
692 Their sphere of influence is so small[2] that it has not been thought worth
while to give them any formal judicial authority; they are now mere
arbitrators and all important cases go to court.

The modern constitution of Ngonde is thus more centralized than
178 the old. The support of the Government is given to, and effective
692 judicial power is concentrated in the hands of half a dozen men, with their
own advisers. The new judicial functions of the Kyungu and the selected
"Sub-chiefs" have, in fact, been transferred to them from the local
rulers. Some such centralization was inevitable under modern conditions
but the details are dependent upon the decisions of the Government.

(c) *PETER THE FORTUNATE.*

643 The wealth of the present Kyungu is not only due to his great
personal abilities. For twenty years before his appointment as Regent
(when he himself became the Kyungu in all but name) he was the full-

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[1] This phrase begs no questions about private feelings, upon which we have no evidence.

[2] This is less true of the great chiefs (the "Important Headmen") than of the rest; and possibly an understanding of their status will alter the attitude of the Administration to them.

178 643 Magemo to Mwakabanga no Kyungu has ever been succeeded by his own immediate heir; the choice of Peter as successor to Mwangalaba was unique, for he was his full brother and the heir to his property, but then Peter's ability and personal wealth were unique also. And in the case of the great chiefs and the nobles also the principle of election is still followed.

178 554 643 The grounds of election have slightly altered. Generosity and wealth are still important, but "wisdom in European ways" is now more looked for than maturity, and shortly before our visit a fairly young man was chosen as Mwakasungula. Bravery in war, of course, no longer matters.

178 565 622 The Administration have so far made little use of any great chiefs except the three who are now "Sub-chiefs;" but the others (the "Important Headmen") could be made into effective local rulers, if their salaries were raised. The ordinary chiefs and nobles (the "Village Headmen") are too numerous and have too few subjects to be very effective links in the chain of modern authority. But many of the great chiefs command the respect of considerable numbers. Moreover the fact that they are already being elected for their "wisdom in European ways" suggests that they will prove competent to deal with modern problems.

The traditional secular procedure of election is still followed, with some exceptions: the nobles of Ngonde are now sent by the Kyungu to participate in the "catching" of the great chiefs of Ngana[1] on the spot; the District Commissioner is informed of the result of every election; while the Kyungu himself, no longer secluded, takes a bigger share in making the choices than his predecessors very well could. And many of the religious elements of the traditional procedure, such as the setting of a new Kyungu on the iron stool *Kisumbi*, have fallen out of use.

The sending by Peter of the nobles of Ngonde to catch the chiefs of Ngana is a sign of the present centralization of power in his hands under Government. When we asked why the old custom had been changed we were told that it was "because now everything is under the control of Government and comes to the Kyungu."

The gradual ousting by chiefs of the few ruling territorial nobles who still remain in the plain has continued in modern times, but the novel conditions have complicated the process and seem to be checking [578] it. A recent quarrel between Kajuni and Mwenelupembe illustrates this. The head of the house of Kajuni, which is a junior branch of the

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[1] I think this is also true of the less important territorial nobles of the hills, but am not sure.

Mwenengubwe, has attained more or less the status of a great chief; but 178
his country originally belonged to the noble Mwenelupembe. One of 565
the Kajunis married a daughter of Mwenelupembe and, in the usual way, 622
became the effective ruler of most of the country. But the position was
not formally clarified, Kajuni and Mwenelupembe are said to have lived 578
on the best of terms, "and there was no boundary between them." After the arrival of the Europeans Kajuni was recorded in the Government list as the "Headman," for taxation purposes, with the consent of Mwenelupembe. And this meant that Mwenelupembe received no share of the tax money. But then, recently, Kajuni sold some of their land to a European for a tobacco shamba without consulting Mwenelupembe, who was furious, and demanded his own tax register and to have a boundary formally marked out between them. And this has now been done. The present cash value of the status of a ruler has altered the economics of the situation, the decline of the religious status of Mbande lessens the comparative importance of the royal blood, while new occasions of dispute between the rulers are now present.

The "coming out" (*ubusoka*) has ceased in Ngonde owing to the 178
smallness of all the present chiefdoms, both in area and numbers, and the
impossibility of finding sufficient land and followers for two successors to 622
any local chief.[1] There has been no "coming out" since 1913. Each local chief is now succeeded by one younger full-brother (or one son) alone. But still among these "Village Headmen" popular favour determines their position. If his subjects do not like a "Headman" they move away to his neighbours, and every emigration reduces his salary by 3d. a year.

(e) CONCLUSION.

Now the more autocratic form and the greater centralisation of the 178
modern constitution of Ngonde is very largely the product of inevitable 642
social forces. Granted the general conditions of contact between Africans and Europeans in Central Africa, a decline of the religion of Ngonde, with the consequential change in the relations of chiefs with their leading commoners, could not possibly be avoided. Nor could the old local autonomy possibly be fitted in unchanged to any modern administrative system. And Ngonde is not unique in this, similar changes, equally inevitable, can be seen in most areas of Central Africa.

Nor is the relative poverty of the majority of the Native rulers of Ngonde today a unique phenomenon either. Richards[2] has shown the

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[1] Owing to the climatic difference land is scarcer in Ngonde than among the Nyakyusa; but the implications of this fact we did not specially study.

[2] *op. cit.*

The Chiefdom and Wider Groups

(*a*) *The "Coming Out"*

128 Space forbids a full description of the relationships of villagers in all their intricate detail, but a short description of the "Coming Out" (*ubusoka*) which is at the same time the most important legal act and the most exciting ceremonial of Nyakyusa life, will, I hope, make the nature of the age-village completely clear, and will also provide us with an easy transition to the discussion of the organization of the chiefdom (*shiso*).

● 622 631 I have never seen a "Coming Out" properly; on one occasion I travelled to see one and arrived just a day late when all the important action and ceremonial was over, but I have had it fully described to me at different times by several people. Every chief (*umalafyale*) is normally succeeded in his chieftainship by two sons, who divide his country between them. There are sometimes exceptions to this: in very large chiefdoms three or even four sons sometimes succeed, each taking a portion of the country; and in minor chiefdoms, that is in small chiefdoms which have come under the dominion of a neighbouring and powerful chief, only one son of the minor chief succeeds to the whole of that country.[14] But the rule is that two sons divide the country of their father. This rule worked well in the old days, for till quite lately the Nyakyusa have been an expanding people in a district too large for their needs; and the combined countries of the two sons nearly always, in the old days, covered a greater area of effective occupation than the country of their father which they had divided. Now saturation point is approaching, or has come, and the rule makes for ever smaller and smaller chiefdoms. Various forces are tending to the alteration of the rule, but it is still a vital part of the constitution. (*vide infra.*)

The "Coming Out" (*ubusoka*) is a series of legal acts by which the country of an old chief and his great commoners is, with certain reservations, divided and handed over into the possession and control of his two sons and their respective great commoners. These legal acts are accompanied by much pomp and ceremony. It is at once the initiation of all the youth of the old chiefdom into public life, the constitution of two new [796] political units and the proclamation of two new chiefs. The "Coming Out" not only consists of a series of legal acts and public ceremonies, but of religious ritual as well, action is taken to increase the personal qualities appropriate in a chief and his great commoners by magical means.

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[14] These minor chiefdoms have nothing to do with the present system of subordinating some chiefs to others (*vide infra.* sec. (*b*))

When the eldest sons of his contemporaries reach the age of about 622
33-35 years the old chief is approached by his great commoners who say : 631
"The sons have grown up, let us make the 'Coming Out' for them." After a period of delay, for he is unwilling to relinquish his own honour and power, the old chief agrees, and the "Coming Out" takes place. His two heirs, together with all the boys and young men, whether married or single, who are sons of the old chief's contemporaries, are summoned to attend, according to their age-villages, at the old chief's principal house. When they arrive they wait there for two days, while the old great commoners discuss with their chief where to give the young men land, and whom they will select as great commoners of the young villages. We have already noted the principles which guide their choice of leaders. In many of the young village groups there are already leaders who have been previously appointed by the old great commoners, but these leaders are, I am told, only temporary, they are never reappointed at the "Coming Out ;" at the "Coming Out" "everything is made new," the boundaries of the young age-villages are redrawn, and new great commoners appointed in them ; only the groups of young men themselves remain unchanged.

The legal action which now takes place comprises three events : firstly the public selection of new great commoners, secondly the public appearance and the public recognition of the two young chiefs, and thirdly the giving of land to the young age villages.

When the old men have made up their minds, one of them goes 624
among the crowd of young men and catches hold of those they have chosen in order of their seniority : First the one who is to be leader of the senior village of the first son of the old chief, then the leader of the senior village of his second son, then the leader of the next senior village of the first son, and so on. There are usually eight age-villages of young men, of these four will belong to the chiefdom of the first son, four to that of the second. The eight new great commoners are now publicly known, four in each new chiefdom.

The next stage of the action is the one from which the whole institu- 622
tion takes its name ; the "Coming Out." The two young chiefs are secluded for a few hours in the hut of the old chief's first wife, there they receive various forms of magical treatment and when it is finished, "then," to quote the words of a great commoner who told me about his own [illegible]
coming out, "the director of ceremonies said : 'Get up !' the chiefs got up, and came out of the house to us, and we, the crowd of young men, said : 'Come on !' and welcomed them. Then we all ran shouting and calling the war cry towards the next chiefdom. In the old days we would

622 have invaded that country for cows and brought them back and eat them at the new huts which we built next. But that is finished now In this way the new chiefs are shown to their people.

631 Finally the young men are told exactly where to go and build, an the boundaries between the new chiefdoms and the villages of each a fixed; the old boys' villages are abandoned and the houses gradual pulled down and put up in their new places. At first the men of the fo age-villages of each young chief just put up rough shelters to sleep in, a together on the place where the senior age-village of each new chiefdo will later be built, but after a month or two they separate, each village t its own place, and there they build their houses.

The land is now their own, they are no longer members of boy villages, living on land given them at the side of the parent villages b their fathers, they are owners of the soil, full citizens, with chief and gre commoners to rule them.

(8) *Organization and Life of a Single Chiefdom*

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583 A few months after the "Coming Out" each of the two young chie marries two wives. He may be married already, but the two whom h now takes rank as his great wives (*abale abakulumba*) and their sons a his two heirs in the chieftainship. Young girls, daughters of neigh bouring chiefs, are carried off with a show of force from their father homes by the young chief's men, who, themselves, later send cows t regularize the position. The two great wives are thus married, not wit the cows of their husband, but with those of the men whose sons the sons will one day rule.

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831 Girls are carried off who are just about to reach puberty, and the stay at the house of one of the men of the old chief until their period begin. When both have reached puberty they are initiated, not at thei fathers' houses, but in the country of their husband, both together. A their initiation, the old men and women of the country (contemporarie of the old, retiring, chief) play the part normally played by a girl's parent and their neighbours, while the young chief and his men take the usua part of a husband and his friends. And then, after the ceremonies ar over, the two girls are given to the young chief as his wives. Houses ar built for them separately: in the senior age-village of the new chiefdom for the first wife, in the next senior village for the second wife; and i this separation of dwelling place is already apparent the future division o the chiefdom between their sons.

Within the chiefdom, and among the wives and children of the chief, 622
two "sides" (*embafu*) are recognized. In the normal country there are, 631
at its beginning, two age-villages and half the wives of the chief on either side; for the junior wives, as they are married, are attached in a recognized order of seniority to one or the other of the two great wives, and have their own houses near them. This distinction of two sides is important in succession. If one of the two great wives bears no son, then the great commoners of the chiefdom often publicly accept the son of the next senior wife on that side as the heir to that half of the country; and, even if they do not do so during the old chief's lifetime, such a man has always a strong claim to the succession. And the two heirs each rank as head of one side of their father's family when he and his full-brothers are all dead.

Between the time of the two young chiefs' "Coming Out" and their 631
own father's death there is, between him and them, a delicate balance of prestige and power. Each of the three, traditionally, has political authority in his own age-villages, but appeals in difficult cases may be taken from either of the young chiefs and their great commoners to the old chief and his great commoners, while the religious duties of chieftainship are exercised entirely by the old chief. During this transition period the functions of chieftainship are divided between three men, each with his own great commoners to assist him. It is necessary to understand that an old chief is believed usually to die soon after the "Coming Out" of his sons. The "breath" (i.e. witchcraft) of the people is believed to kill him because men love his sons rather than himself. When I asked about one chief (Mwakalukwa) who did not die till about fifteen years after the "Coming Out" of his sons, I was told that his was an exceptional case; "The people loved him very much because he helped them with the Government." None the less such exceptions are not unusual. But, in any case, it is commonly said that "after his sons' 'Coming Out' the old chief's power decreases, while that of his sons increases." When he dies his wives and cows are inherited by his full-brother, and to this brother also passes the religious leadership of both the two new chiefdoms, but all general or political power now normally[20] passes to the two sons. The period of transition is over, and the control of the age-villages of old men now passes to the two young chiefs and their great commoners, half to each side. The great commoners of the old chief, relinquishing most of their secular functions to their successors, enter upon new religious duties as priests in the worship of the chief who has just died, and this priesthood, as we shall see, they hand on to their

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[20] Certain recent events have altered the working of this rule in some chiefdoms. (*vide infra.*)

631 sons. To the dead chief's full-brother go his wives and cattle, so that property and power are usually inherited separately; in all the cases which I have investigated however, this brother has himself given some of the cows to the young chiefs, but the reasons for his action are still obscure to me. In so far as the dead chief's brother is still the religious head of both chiefdoms the functions of chieftanship may be said still to be divided; but all the secular functions are now normally exercised by the young chiefs. And the religious functions also fall to them when all their father's full-brothers are dead.

Political authority is the general authority of one or more persons within a community, whether local or nomadic, which goes beyond the bounds of a single family; a leadership confined to no one type of behaviour, but ordering a variety of social activities. Such an authority is wielded by a Nyakyusa chief, together with his great commoners, in his own chiefdom. *There a number of legal, economic, religious*[illegible] and ceremonial activities are controlled by them; and there, before the coming of the Europeans, they had military leadership also. But before that event no man had any wide political authority beyond the single chiefdom. The chiefs of Lubaga[illegible] had a far-reaching religious pre-eminence, but no general or political influence at all beyond their own country.

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578 The only extensions of political power beyond a single chiefdom before European times, so far as I know, arose from the rivalry of brother chiefs. The division of an old chief's country into two was not always accepted by the young men concerned; quarrels and fighting between them were common, and the position established at the "Coming Out" was sometimes modified by war. If one of the two decisively defeated the other, he took all his brother's cows and reduced him to a subordinate position. The land of the Nyakyusa is full of such minor chiefdoms; by the clerks who collect tax they are described as "villages," but they are
622 radically different from villages in their constitution. For, while they often consist only of a few score families, they are themselves articulated into age-villages and have at their head, not an elected great commoner (*ilifumu*) but a hereditary chief (*umalafyale*). A minor chief marries in the ordinary way, like a commoner, and only one of his sons inherits his chieftainship; while his chiefdom, owing to its small size, is often simply divided into two villages, one for the old, one for the young men. To-day his position carries with it neither wealth nor power; he has some authority over his own people, but less than the great commoners of his powerful

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[illegible] I am now speaking of the position of a chief after his father and all his father's full-brothers are dead, and before his own sons have "come out."

[illegible] *Vide supra.* [illegible]

8:Wilson E-5 (1934-1936)1936 FN17 Ngonde FN17
Nyakyusa

kinsman. Though some of the reasons for his subordination are to be 622
found in modern conditions, it is clear that many of the factors have always operated.

Wars did not only occur between brothers; but when one chief 622
defeated another who was more distantly related to him, he did not, 727
apparently ever, reduce him to a minor position: He either took his cows and then left him alone, or killed him and set up a brother of his own as an independent though allied chief, or else, more rarely, killed him, took over the country and directly incorporated it in his own. So that, apart from the subordination of a defeated brother and his heirs, political authority always stopped at the boundaries of each separate chiefdom.[19]

The traditionally independent *chiefdoms to-day vary in numbers* 631
from 100 to about 3,000 adult men. 161

The coming of the *German* Administration in 1893 introduced a 636
paramount political authority, for the first time, in the persons of European 177
officials; while in 1926, a generation later, the British Administration created new Native Authorities under the District Officer and superior to the chiefs. The traditionally independent chiefs were grouped together in eleven court districts, in each district a "Native Court" was set up, consisting of the various chiefs and their great commoners, under the hereditary presidency of one of the chiefs, who thereby became senior to all the others in that court district. Salaries for chiefs have been intro- [465]
duced, and the senior chiefs receive far higher salaries than the others; while the meetings of each Court are always held in the territory of the senior chief (*umalafyale ogholomba*); and to it has now been transferred a great deal of the legal business which, before 1926, was transacted by each chief sitting with his own great commoners in his own chiefdom. The chiefs themselves were consulted in the selection of the Court Presidents, and those chosen were normally the chiefs with the greatest number of men in each particular court district.

In this account the term *senior chief* (*umalafyale ogholomba*) denotes the President of a Native Court, *chief* (*umalafyale*) means one of the traditionally independent chiefs, while *minor chief* (*umalafyale omunandi*) means one of the subordinate chiefs, often with only 40-60 men under him.

The introduction of Courts and salaries has brought an entirely 636
new element into the relationship between old and young chiefs (*vide* 177
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[19] Among the Kondo of Nyasaland, I am told, there was a paramount chief Kyungu, with a far-reaching political authority; but there was no such chief among the Nyakyusa.

636 177 578 *supra*). Only one of them can receive the salary and they commonly dispute about it. Quarrels are particularly frequent over the position of senior chief, for the presidency of a Court carries with it a relatively large salary. Old senior chiefs cling to the position long after their sons have "come out" and when they die their full-brothers still dispute the position with the sons because of the salary involved. Such a situation could not have arisen before 1926, for then there was no comparable issue between them.

636 ● 622 177 And the introduction of salaries has also had a most profound effect upon the relative status of the two young chiefs who "come out" together. When an ordinary chief, with a small salary, dies the Government recognizes the first son alone as chief and pays the whole salary to him. This reduces the second son to the position of a minor chief as effectively as a defeat in war might have done in the old days. But, while the action of warfare only occasionally led to the subordination of one of the brothers, this action of the Government does so invariably, and always subordinates the younger brother. When a senior chief dies, on the other hand, the salary is usually divided: the bulk of it goes to the first son, together with the position of senior chief, while to the second son is given the salary of an ordinary chief.

554 622 As the prestige and authority of a father in his family, or of a man among his neighbours, is closely connected with his wealth on the one hand, and with his believed religious powers on the other, so also the status of a chief among his people. He has more cows, more wives, more food than other men; he is spiritually responsible for the fertility of the land, the women and the cattle of his chiefdom. But he is no autocrat, and all his public functions require for their exercise the co-operation of his great commoners.

622 595 Polygyny is, above all, the mark of a chief. Few commoners have more than five or six wives, but a chief frequently marries fifteen, thirty, fifty or even more; his wives weed and plant the fields which their unmarried sons hoe, and there is plenty of food for guests. Chiefs themselves hoe when they have time, and often they employ a poor man to hoe for them as well, rewarding him after a year or two with a cow. [837] It is not possible for one man to satisfy so many women sexually, and it is generally said that every chief's wife, save the five or six who are his favourites, has a lover. But intrigues must be carried on with care, for their discovery means a great public scandal.

The extent of a chief's polygyny is conditioned by his control of cattle, and his income in cattle is derived mainly from inheritance and the marriages of his kinswomen. When his father dies his father's wives 622 and cows pass to his father's full-brother, but they come to him and his 595 brother eventually when this man dies. While, if the young chiefs have "come out" it is common for their father's brother to hand over some, or even the bulk of the cattle, to them before his own death. And in his own half of the family, among his siblings and half-siblings on that side, a chief has far greater rights both of inheritance and of receiving marriage-cattle, than those possessed by the senior son of a commoner. So much is clear from my evidence, but it is not yet sufficiently detailed for an exact statement of rules.

Before 1893 fighting between chiefdoms was common and, except 631 between brother chiefs, the usual aim of fighting was, not conquest, but 721 cows; wars were generally just cattle raids. And a substantial proportion of the cows captured in a successful raid went to increase the herds of the chief. This lost source of income is now supplied by Government [435 salaries, which vary from 5/- to £15 a month.[19] The price of a cow is £2; 466] but many shillings are spent on clothes, bicycles and beer, as well as on cows.

A chief, like any other rich man, maintains his prestige by hospitality, 622 he constantly entertains his more notable subjects with beer, at the 527 ceremonies of his family all his people gather in their age-villages and he kills cattle for them to eat. Chiefs seldom nowadays kill cattle except on ceremonial occasions, but in the old days of warfare they used also, I am told, to entertain their subjects with meat from time to time, in order to keep up their spirits for fighting. History is full of stories of Nyakyusa chiefs who attracted many men to their countries, and so gained great military strength, by the generosity and abundance of their feasts.

Every time a man or woman dies, a message must be sent to the 622 chief, and at the burial he is given the whole breast and ribs (*akahuu*) of 764 one of the cows which are killed by the family of the dead person at that time. He has the right to take food or milk from any of his subjects if he has need of it; but he cannot take any man's beast without later returning another to him.

Apart from the now abandoned pursuit of cattle raiding the only 631 profitable enterprises in which the members of a whole chiefdom jointly 476 participate are those of hunting and fishing; in some chiefdoms, but not

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[19] Salaries above £1 a month are only paid to senior chiefs. No minor chief gets a Government salary, nor do great-commoners. The local value of money is shown (a) by the tax (8/- p.a.), (b) by the wages of unskilled labour (6/- to 8/- p.m.)

631 476 all, hunting is organized like warfare and fishing is a joint endeavour, both ordered by the chief.

471 622 Every chief has a title of ownership (*obwene nakyɔ*) to the land of his chiefdom and can evict any man he pleases, (giving him another plot), if he wishes to build there himself; but his people also have titles of ownership to it, both collectively, under the leadership of the great commoners, and individually, each man to his own ground. It is the great commoners who, in consultation with their neighbours, give to the sons of each village land on which to build; it is they who, together, finally fix the boundaries of the young men's villages at their "Coming Out;" it is they who, again in consultation with their neighbours, grant land to strangers who ask for it, though they must notify the chief and get his approval before doing so.

627 692 As the single great commoners settle disputes within their own villages so the chief and great commoners together hear and decide cases within the chiefdom. Many of these legal actions are now settled in the Courts, but not all of them; and, even when cases are going to Court, preliminary hearings commonly take place before the chief, first. Cases are conducted and witnesses interrogated by chief and great commoners together, and the decision which the chief pronounces is an expression of their general opinion.

554 624 Among the great commoners there is an order of seniority. The leaders of the two senior age-villages of the chief's own men play a prominent part at his "Coming Out," they each have a pre-eminent authority in one side of his chiefdom, and the other great commoners rank as their juniors, some on one side, some on the other. In the old days the two senior great commoners each led a whole side of the chiefdom in war.

622 754 The two most effective checks on the power of a chief are migration and witchcraft. Military strength used to depend upon the number of a chief's adherents, to-day the scale of his salary is similarly dependent; men are quite free to move, and there is a constant flow of adherents from unpopular to popular chiefs. But unpopularity is most feared in its spiritual form of witchcraft. We have seen already that an adverse current of opinion is believed to act invisibly, as the "breath of men," against an unpopular member of a village and to make him sick. So also the adverse opinion of a single village or of a whole chiefdom is believed to have power against a chief, to bring sickness or even death upon him. As in the single village, so in the whole chiefdom the great commoners are the prime sources of this spiritual power; they are believed severally to protect the members of their own villages and jointly to protect their

chief from the wanton attacks of witches; but if ever there is a just 622
ground of offence they are believed to join their own power of witchcraft 754
in the general attack. I know one chief who dare not give a judgement in a dispute between two of his villages for fear of the indignant witchcraft of the losing side. And a general unpopularity is believed always to lead, sooner or later to a chief's death.

Chiefs also, like other men, fear the use of sorcery (i.e. destructive magic) against them, and use a number of protective "medicines" (i.e. materials of magic) to protect themselves from it. They also use powerful "medicines" to give themselves personal impressiveness, prestige and authority among their people.

While in the families of commoners an ancestral spirit is only believed 771
to affect the lives of his own descendants, the ancestors of a chief, on the 622
other hand, are supposed to influence, for good or ill, the fortunes of whole chiefdoms. Rain and good crops, the fertility of women and cattle are dependent upon their good will, which in its turn is believed to depend upon a recurrent sacrifice of cows. And for this sacrifice the chiefs, their living descendants, are responsible.[20] But, owing to the continuous division of chiefdoms every generation, several chiefs are concerned in each sacrifice; every dead chief is a source of misfortune or of blessing in the countries of all his direct descendants. And so the discussion of this part of the Nyakyusa religion leads us to the investigation of the groups which extend beyond the boundaries of a single chief-chiefdom.

(c) *Groups wider than the Chiefdom*

When a chief dies he is buried near the house of his senior great wife 778
and trees are planted on his grave. The trees grow and form a sacred 793
grove (*elisyeto*) hedged by taboos. Each of these groves is at first the 764
religious centre of two, later of a number of chiefdoms, and in them the
sacrifices are made. Responsibility for finding the cow for sacrifice in a
particular grove rests with one of the living chiefs concerned, but respon- [622]
sibility for initiating the ritual and performing it lies not only with the chiefs but also with the hereditary priests (*avanyagɔ*) in each chiefdom. These hereditary priests are descended, some from the great commoners of the dead chief who is buried in that particular grove, some from his half-brothers. The ritual is esoteric, there is no gathering of the people at the sacrifice, and only chiefs and those with hereditary priesthoods

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[20] I am speaking here of the religious customs of the Nyakyusa proper and the Selya people, I believe those of the Kukwe and Mwamba are very similar, but I have not studied them in detail.

769 come to it. But, on the other hand, everyone knows when a sacrifice is
778 taking place, and, in spite of the influence of missions, most people in the
793 pagan community believe in its efficacy.

782 Sacrifices are prompted either by actual misfortune or by prophecies
787 of it. The four sacrifices which I have seen myself were all stimulated by an actual shortage of food, and the hereditary priests have often told me that " now-a-days the chiefs do not listen to us until hunger comes." But, traditionally, sacrifices are said to have been usually prompted by prophecies of coming misfortune which was then averted by them. In each chiefdom the ruling great commoners, the hereditary priests and some private persons as well are believed to have the power of dreaming of misfortune (*okokunguluka*) before it comes. And the chiefs are said always to have listened to these dreams, formerly, and to have acted upon them.

778 Among the groves there is an order of seniority ; the older the grove
173 the more chiefdoms are concerned in the sacrifices there. And in Selya is the most important grove of all—Lubaga. All the chiefdoms of Selya, many of the Nyakyusa proper and even some of the neighbouring chiefdoms of the Mwamba are traditionally concerned in its sacrifices. Lubaga, the Nyakyusa say, is the grove of Lwembe, one of the original chiefs who came down the Livingstone Mountains from the East, eight or nine generations ago ; and from him all the present Selya chiefs are descended. The ancestor of the chiefs of the Nyakyusa proper was a brother of Lwembe ; and though the Kukwe and Mwamba chiefs are not related, yet those of the Mwamba who are nearest to Lubaga used to send cows there for sacrifice as well, because of the great reputation that this grove had.

● 622 Sacrifices are still made in the country of the chief of Lubaga
782 (Mwakisisya) for all the surrounding chiefdoms, but the full ritual has not been carried out for fourty years. Traditionally each chief of Lubaga was ritually installed into a position somewhat resembling that of Sir James Frazer's " Divine Kings," a position hedged with taboos, in which not only the sacrifices he made to Lwembe but his own health and fertility also were believed to be intimately connected with the prosperity of his own and neighbouring chiefdoms. But the present chief has never been properly installed, nor was his father before him. The sacrifices at Lubaga are believed to benefit not only the Nyakyusa but also the next
173 tribe to the East, the Kinga, who live on the heights of the Livingstone Mountains ; for Lwembe, they say, was born a Kinga and moved down the mountains to Lubaga, taking the fertility of the soil with him. And

And. 622
every year two hereditary Kinga priests come a three days journey from 782
their own country to participate in the sacrifice of a black cow to the [574]
spirits of Lwembe and his descendants.

Down by Lake Nyasa, in the extreme South East of the Nyakyusa 778
district, there is another equally sacred spot where sacrifices were, and I 764
believe still are[21] made to Kyala, a younger brother of Lwembe.

The Christians and the Moslems form other religious groups which 795
transcend the boundaries of a single chiefdom, but an examination of the Nyakyusa Christian and Moslem communities is beyond the scope of this paper.

The political group which is constituted by a Court district, though 636
only ten years old, is of great importance in Nyakyusa society; but here again the detailed examination of its organization and the relationships of its members is beyond the scope of this paper.

Conclusion : Culture and Society

The aim of sociology is to describe single forms of society fully and, 121
in comparison with one another, to explain them completely, in so far as 128
reasons can be found within this particular scientific field. Neither full description nor complete explanation of Nyakyusa society has here been attempted: many important facts have been omitted from the account, irregularities of detail have been slurred over, the connections of fact have been only occasionally and sketchily established, and no systematic comparison of this unit with others has been made at all.

But the method of this paper has involved an analysis, summary and 121
general though it has been, of the nature of some of the many institutions in which the Nyakyusa meet, of some of the actual elements in their relationships with one another. It is in their dealings with the earth and their cattle, with the spirits and with men who break the law, in their discussions and arguments, their ceremonial feasts, their giving and receiving, in their loves and hates and in their admiration and mockery of one another that they forever make and remake their own human relationships.

Culture is the matter of which society is the form; inseparable in fact they are only intelligible together. No two men can be related unless they both do something and unless their activities are somehow connected. Nor can either escape relationship with his fellow if what

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[21] I have not yet been there to investigate.

9: Wilson E-5 (1934-1955) 1959
FN17 Ngonde FN17
Nyakyusa
Kinga FN12

K 171 two peoples are distinct. Their languages are not mutually in-
[197] telligible and the Nyakyusa despise the Kinga as dirty in habit and
N obsequious in manner. There were two main invasions from
[186] BuKinga: (i) that of the 'sons of Lwembe' who settled south and
173 east of Tukuyu, and (ii) that of the 'sons of Ngomale' (or Kukwe),
who settled first at Kina below the northern crater of Rungwe
volcano, and then at Kabale in the foothills to the south-east.
N Most of the present chiefs of the Nyakyusa belong to one or other
173 of these two lineages, and the chiefs of Ngonde are claimed by
643 both. The arrival of the chiefs of Lwembe's line may be fixed
between 1560 and 1650, i.e. before the settlement at the Cape, but
after the death of the first Christian martyr in what is now
Rhodesia[1] and the 'sons of Ngomale' followed them some gener-
ations later (*vide infra*, genealogies pp. 3, 27; p. 94). Two of the
invading heroes, Lwembe and Kyungu, became 'divine kings'
whose successors claimed spiritual authority over wide areas, and
the heirs of Kyungu gradually acquired temporal power also.

N About the first inhabitants of the Nyakyusa valley, the *abilema*
173 tradition is vague; however, it is clear that they were not one
people, but consisted of small, scattered, independent groups
disparate in origin. Some were very early invaders from BuKinga
others came from near Lake Rukwa and were kin to the Bung
of the Rukwa plain. They occupied an almost empty country (a
their name indicates) but they found pygmy hunters[2] in th
N Rungwe forests. The invaders themselves were primarily hunter
[241] and honey-gatherers, though some, at least, of them began t
N cultivate millet, beans, and pumpkins. One group of earl
[563] inhabitants, the Penja, which was pushed into the north-wes
corner of the valley, has remained relatively discrete, though fo
the most part they have fused with the conquerors.

It is clear that nowhere were the invaders allowed to establis
themselves as tyrants since, though their descendants rule over th
[622] various chiefdoms, their authority is strictly limited by the head
men of the villages who are invariably of commoner stock. More
[643] over, while the most sacred persons in the country are, or befor
the coming of the Europeans were, 'divine kings', descendants o
[563] the original heroes, chosen by each generation to become the

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[1] In 1561, cf. G. M. Theal, *Records of South-East Africa*, vol. ii, p. 126.

[2] The quality of relations with the Pygmies is summed up in the ironical name f
them 'Where did you see me?' (*Umbwenelugu?*) The tale is that they were very sensiti
about their size and the first question on meeting a Nyakyusa was always: 'Where d
you see me?' The only safe reply was: 'Far, far away!'

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The age system of the Nyakyusa has been described in detail in *Good Company*,[1] but, since it forms the basis of their social structure, a brief explanation must here be given for the benefit of readers unacquainted with that earlier volume. Within each chiefdom there are a number of villages composed not of kinsmen but of age-mates. Villages begin when small boys of eight or ten years build together at a little distance from their fathers. [857] They are joined by younger brothers, as these reach the age when boys stop sleeping at home, until the eldest are in their middle teens, when the youngsters will be told to begin another village. [883] The boys of a village have their own leader, a 'natural' leader, not specifically appointed, but they are subject to the headman of their fathers' village, and formerly fought as a group under his direction. But at the 'coming out' a headman for each village is selected from among its members by the fathers: [622] if he dies, his heir—a younger brother or son—inherits his position, so that sometimes a young man becomes headman of an old men's village, taking the name and social position of his father. Only commoners are eligible as headmen: we knew one candidate who was rejected because his great-grandfather was a chief.

[634] Two villages in each chiefdom are senior to the others and their headmen are responsible each for half of the country. During the 'coming out' ritual the chief marries two wives, 'mothers of the country', and one is established in each senior village or capital (*ikitangalala*). The eldest sons of these two wives are the heirs, and later divide the old chief's country between them. Most of the chief's junior wives are divided between the capitals but some may be settled in a colonizing village in unoccupied country. All the chief's sons build with commoners in villages appropriate to their age, and all save the two heirs are subject to the commoner headmen of their villages. They are entitled to some respect as 'sons of the chief', and those of strong personality gain a following and settle disputes between their fellows (as may any commoner), but only the two senior sons can claim political authority.

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Before the 'coming out' the villages of young men and their fathers adjoin, for the boys have built on their fathers' land, on the fringes of their fathers' villages. But at the 'coming out' there is a new deal in land. The young men are established in the centre of the country and their fathers move to the periphery; it is not merely that fathers and sons exchange land, but all the boundaries

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[1] Monica Wilson, *Good Company*, 1952.

are redrawn and only the fields in old craters (the most prized 561
and fertile of all) are not re-allotted. Thus the villages of kinsmen 621
of two generations adjoin, and often those of three generations. 884

On the old chief's death his village headmen become priests of 423
the grove in which he is buried, and, in co-operation with his sons,
the new chiefs, sacrifice there on behalf of the two countries into 634
which his old chiefdom is divided. There is a nice balance of 793
power between chief and village headmen in life, and when he 622
dies his two heirs and the headmen (or their heirs) continue to
share power, the power which belief in his spiritual force and
their ability to guide it gives them. The success or failure of rituals
is held largely to depend upon the personal relationships of the
leading participants, chiefs and commoner priests.

Besides the ordinary commoner priests (the village headmen of 793
a past generation or their heirs) there are priests of the chiefs' lineage, usually belonging to a junior line to which specific ritual functions, such as rain-making, have been entrusted, and whose office is hereditary in the same way as that of a chief. Kasitile (86),[1] the rain-maker, is such a priest: his grandfather was the brother of a ruling chief (43) and had been appointed as rain-maker (*umpelafula*) and priest (*unyago*), the two functions being separate but overlapping. As rain-maker Kasitile tended the rain stones, as priest he initiated the rituals in certain of the sacred groves, though he did not actually officiate himself. Kasitile was a key informant on ritual and a chapter is devoted to his history, since it epitomizes the relationships between chiefs and commoners.

As we have shown, most of the Nyakyusa and Ngonde chiefs 634
claim some sort of kinship with one another. Those who are nearly 796
related pray together at the groves of their common ancestors,
and those more distantly connected join in sacrifice to their 769
founding fathers, but in the communal rituals kinship is neither the dominant theme nor the exclusive principle of association, as it is in the rituals celebrated by private persons. In the communal rituals most of the priests are commoners unrelated to the dead who are honoured, and the sacrifices are held to benefit not only the descendants of the dead, but all those who live in the countries they once ruled. Nevertheless, the symbolism of the communal rituals constantly recalls that of the rituals of kinship; themes which pervade the death ritual recur again in the rituals of 'coming out' and 'cleansing the country'. This background is

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[1] Numerals after a name refer to the genealogy of Nyakyusa chiefs facing p. 3.

indicated (*vide supra*, p. 35). And, as we shall see later, he also 771
suspected that his quarrels with the Kinga priests and with the [753]
commoner priests of Mwaipopo's chiefdom made him ill. [578]

Chiefs, and even the 'divine king' himself, lived in fear of the
legitimate anger of their people, more particularly of their village 643
headmen and priests, believing that such anger would bring them 753
sickness, and this belief gave headmen and priests a very strong [622]
hold over their lord. How it worked was illustrated by an incident
at Lubaga.

> Mwanjala II (78) remarked to Mwakilima (111): 'I sent to summon [796] Mwasesi (a commoner priest) for the ritual tomorrow but he refused saying: "I shall not come." He is angry because he was not called to the ritual at your home, nor was he told formally when the Kinga came, or when Mwaipaja [G.W.] came.' Mwakilima (111) asked: 'Will you pay him?' [i.e. admit your mistake and offer him compensation]. Mwanjala replied that he would, and Mwakilima expressed disgust. One of the Kinga priests who was listening broke into the conversation: 'Ignore him if he refuses to come. If it were us [754] we should leave him and celebrate without him, but you Nyakyusa are all witches, and you fear to ignore a man who refuses to come to a ritual saying that he will bewitch you. You are cowards, you are!'
>
> At this Godfrey Wilson asked if there were no witchcraft in BuKinga. The Kinga priest replied: 'There is some, but if the chief gives orders to celebrate a ritual and someone refuses to come we ignore him, and celebrate without him. You Nyakyusa *pay* a man for doing wrong. A man refuses to come when he should and then you *pay* him! If you are afraid of witchcraft why not finish the ritual and send his portion of meat to him afterwards?'
>
> Another priest objected: 'Then he would say it was too small a piece.'

The commoner priests then could control even the Lwembe (for Mwanjala II acted in the place of the Lwembe though he was not installed), but at the same time the mystical power of the Lwembe was feared both by ordinary chiefs and commoners. Mwaijonga (82), who ruled before the European occupation, insulted and fought Mwakisisya the Lwembe (56), and killed some of his men, because 'Lwembe had spoiled the year', but he sent back the cattle that were seized.

> In the old days it did not matter killing the Lwembe's men (in war), but [727]
> no one dared to take his cattle, they feared lest he would spoil the year
> and send too much rain, and a plague of ulcers, and cause the cattle to [789]

9: Wilson E-5 (1934-1955) 1959
FN17 Ngonde FN17
Nyakyusa

643 separate inheritance sometimes went through the ritual because he might later be required as a chief, and the son of a conquered chief who had retained limited authority over a small area might be permitted to 'come out' with his senior brothers also. The common pattern, then, was for two sons to 'come out' as principals, but for a variety of reasons one or more 'younger brothers' might join them.

In Ngonde, as opposed to BuNyakyusa, several brothers normally went through the ritual as principals and the reason given us was that power should be distributed. They would say, we were told, 'If we bring out only two they will be boastful and ill-use their people, let them be many therefore, then, if a man has a quarrel with his chief, he can flee to another....' In BuNyakyusa
● [622] any tendency to tyranny in a chief was effectively curbed by his village headmen; but it is possible that headmen never had as much power in Ngonde as they did in BuNyakyusa.

An analysis of the genealogies of Nyakyusa chiefs shows that very often one half-brother lost power to the other, but occasionally several brothers (e.g. seven sons of Mwaipopo 26) got independent chiefdoms, and a junior brother (e.g. Mwakyusa 38)
[669] might attract a larger following of men than his seniors. Mwakyusa led his men from the hills to the more fertile plain and drove out the Kyungu of Ngonde from the lake-shore north of the Songwe river.

The 'coming out' was traditionally the occasion when authority
[761] was handed over by the elder generation to the younger. The old chief retired and he was *expected to die shortly*. In Nyakyusa theory he died because his men no longer loved him: 'A chief did not
[888] live long after the "coming out" of his sons; he died because there was war and people would complain: "He is too old, when we fight we are beaten, he had better die, perhaps the heir will help us." He died of the "breath of men".' But, as will be shown, his headmen had the duty of smothering a chief who seemed likely to die, and they were much more ready to do this after the 'coming out' of his sons than before. It was right that the sons should come out before their father's death, but not right that the period of coregency should be extended, for the division of authority between old and young was uneasy. When the old chief did die his
[793] headmen became the priests (*abanyago*) responsible for the sacri-
[622] fices in his grove, and the young men were solely responsible for the defence of the country and the administration of justice.

Since the 'coming out' of his sons spelt not only retirement, but 643
a speedy death to a chief, he was not unnaturally reluctant to hasten it and, we were told, chiefs would try to defer it, but were pressed by their village headmen to celebrate, and had eventually to accept their advice. Indeed we heard of one chief whose illness [753]
was attributed to the 'breath' of his men, angry because he refused to hold the 'coming out' which was due.

Nowadays the situation is radically altered by the fact that chiefs continue to live long after the 'coming out' of their sons, and the administration treats the old chief as the sole authority, or the old men find good reasons for not holding the celebration at all.

Before the ritual there is much speculation and excitement throughout the chiefdom, and private discussions between the old chief and his village headmen about suitable candidates for office. They look for men of wisdom (*amahala*),[1] skilled in settling dis- [183]
putes, modest (for boastfulness is judged intolerable in a Nyakyusa [577]
age-village as it is in an English public school), and given to hospitality. A leader must feed his men and to do so he requires to be relatively wealthy, therefore the poor have little chance of office.

When the old men are agreed among themselves they summon 643
all the young men to the capital. They come dancing and swagger- 622
ing with all their cattle, and there the old headmen seize, one by
one, those they have chosen as village headmen for the next 796
generation, beginning with the senior headman for each heir, then the second senior for each, and so on. Usually eight are chosen, four for each young chief. We get a glimpse of what it means to one individual in the following statement by the second headman of the chief, Koroso (173):

> I made fire at the 1910 'coming out'. I can't tell much because we [177]
> who were caught were in fear and trembling. I knew beforehand, because my brother was told to come from Ipyana [mission], but he was a Christian and the missionaries refused to allow him to become a village headman—they feared the medicines. He ran away and came here—he wanted to be a headman and the old men wanted him, but then he changed his mind and went off to be a soldier, and so they took me.

Probably word of who have been chosen as village headmen

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[1] For a discussion of the content of *amahala*, cf. Monica Wilson, *Good Company*, pp. 89-90.

643 622 796 often leaks out, but in theory the young men must not know, and those seized always put up a show of resistance before being bundled into the hut of the senior heir's mother. Once there, no man dare flee lest, like a Lwembe fleeing from the stool, he should [784] die. The two heirs are seized also and carried into the hut with their headmen. A litter is spread for them, and they remain there in complete seclusion, required to 'talk softly' and avoid quarrelling, guarded by the 'doctor of the coming out' and forbidden to wash except that each of the chiefs and his senior village headman washes with medicines in the doorway of the hut. Each chief also lies down with a commoner and is covered with a black cloth [789] which, according to Mwandisi (the old blind chief 107) is a symbol of clouds and therefore of plenty. 'It means, may it be heavy—cloudy—above, may food be plentiful; may both heirs bring fruitfulness.' The commoner who lies with the chief is 'one body with him', 'his wife', and continues through life to share with him certain medicines. Some said that the senior village headman performs this function for his chief: others that it is another man altogether. The whole matter is very secret and our information is limited. The period of seclusion varies. Mwanyilu (177), who 'came out' in 1953, remained in the hut a month, and he complained most bitterly of the inconvenience of not washing for so long. During this time the young men are admonished by [867] their fathers' senior village headmen, and told of their faults and their future duties. According to Mwambuputa (Mwankuga's [150] senior headman who was responsible for bringing out Mwanyilu), he said: 'Listen to the people: they are the real chiefs! Be hospitable! Greet people politely! Don't beat your men!' And the other senior headman, Kakuju, said: 'Do not beat your men, respect them! Feed your people on milk, meat, chickens, beer! Fear your people!'

Then the great moment, from which the ritual takes its name, arrives. Very early in the morning a crowd gathers and a junior kinsman of the chief knocks on the door and shouts: 'Come out! War has come!' Each heir, followed by his senior headman, [778] rushes out and grasps the 'spear of chieftainship' held ready at the doorway for him, while the headman grasps a medicated zebra tail. The spear has a little horn of medicines bound to it 'to show that the chief has come out', and brandishing it is 'comparable to carrying the chief aloft. We show his greatness to the people and acclaim him.' 'The spear of chieftainship is strength, man-

hood.' Some say that it is not the chief himself who grasps the 796
spear but his senior village headman who pauses in the doorway 643
calling the war cry and rejoicing. However that may be, the 622 ●
spear represents the authority of a ruling chief. At the 'coming [778]
out' of Mwanyilu (177) and his junior brother Mwabungulu (178), both were secluded and rushed out of the hut, but for Mwabungulu there was no spear since the chiefdom of their father was not divided into independent units.

643
The heirs separate, each going to where his village is to stand, 622
whether it be pasture land or the site of a former village. The 796
young men build temporary shelters for themselves and proceed 372
to the most important rite of all, the making of fire by friction, using a lion bone as the trough of the drill and a reed as the shaft. Each of the two young chiefs starts the process, then his senior village headmen take over, one twirling the shaft and the other holding the trough. It is difficult to make fire with the bone and reed and great importance is attached to success; the senior headman may even be replaced if he fails, for it is taken as a sign that his headmanship will be a failure. If he succeeds, he is known in future as *ulifumu gwa lupegeso*—the headman of the fire-making. All the old fires throughout the chiefdom are put out and each appointed headman, in order of precedence, takes fire from his immediate senior and calls to his men: 'You of such and such a village come to me' and gives fire to them. The men, though crowded together in one or two shelters, split into small groups, each with its own fire, to cook. This is interpreted as a symbol of the ending of the old chieftainship and the establishment of the new. 'That fire means a new chief has come, he brings new fire, we throw away the old fire in the houses. . . .' 'The old chieftainship is coming to an end, the new has come. The fires are put out in all the homesteads, those of the young men and those of the old men, they make new fire which is taken to every home. . . .' 'But why fire?' we asked. 'Because of old . . . we chiefs came with fire, the commoners had not yet got it, they ate raw food only. When we came we slept in men's houses and we lighted fires and cooked food. Men were astonished and said: "Ha! What's this?" They were burned so they said: "These are chiefs because they brought this fire." It is this they remember still.' 'Fire *is* lordship (*ubutwa*)', therefore a junior chief who goes through the ritual with his brothers does not make fire with his headmen; only those who are to rule do so. In other contexts the lighting of fire by friction is a

613 symbol of potency,[1] and we suggest that this also is an element in 622 the ritual of the 'coming out', for the fertility of the chiefdom is 796 thought to be bound up with the virility of the chief.

[372] There are a number of stories about the way in which Mwakyusa (38) surpassed his brothers and one of them tells how each brother made fire and set alight the pasture land (for traditionally parts of the pasture land were fired each season to provide fresh grass for grazing in the early spring), and the fires started by the elder brothers soon died out, but that started by Mwakyusa 'burned for a whole month'. This is interpreted as an omen of his greatness as a chief: fire, potency, lordship are inextricably linked.

At the 'coming out' all things are made new. No matter how [561] crowded the country the young men must move to new sites and the shelters in which they live must be new, though, as will be [356] shown, they do not necessarily move to *unoccupied* country. On their new site the young men live as bachelors, milking their cows and cooking for themselves on their new fires the meat of the cattle they seize, the bananas and grain brought by their wives and mothers. Meat is abundant, for the young chief now rules and has the right to take what cattle he chooses, even from the villages of the old men in his country. 'It was as if there were war, [726] the young men seized cattle, food, and women', and though they did not fight their fathers directly, as the Meru did, they clearly asserted their power. And, as so common further south, the accession of a chief was the occasion for raiding the neighbours: [778] the young men, we were told, went forthwith to test the efficacy of the magic spears and the medicines with which their chief and headmen had been treated. Or the chiefs might lead a battue to clear the country of wild pig, as Mwakatumbula (Mwambete 160) did directly after his 'coming out'. Well fed and exuberant, the [574] young men dance and display their cattle, and entertain visitors lavishly, for every chief seeks to attract men to his country by his hospitality.

Then they set up the sign and memorial of the chieftainship: [824] they plant cuttings of two species[2] of *ficus*, *indola* which is much used as a shade tree, and *amperendapende* from which bark-cloth is [423] made. Close to these the first house of the chief and that of his senior village headmen are built, and the trees also mark the future boundary between the two halves of the chiefdom, where it will split the next generation. They serve as beacons[1] and are cited as evidence both of the 'coming out' and of the division of land in any later dispute. At the same time the trees are symbols of chieftainship and with their growth the success of the reign is mystically linked. According to one account, 'four headmen fetch the cuttings and the young chief stands between them (*vide plate* 6) and tells the trees to grow well, and the others say: "We are planting you likewise, we are at the ritual of establishing a new chieftainship, you are a symbol for our chief, spread branches that our young headmen and other people may rest in your shade."' A doctor assists at the planting, burying at the roots a live white sheep and medicines, which, it is said, later turn into the lions or leopards which protect the trees from the impious (*vide infra*, p. 58); and he sweeps beneath the trees, a symbol of what the senior headman must do in future, for it is his duty to 'watch over the trees'. In Nyakyusa thought, village headmen are an integral part of chieftainship—it cannot exist without them—and the trees symbolize *both* the chief and his lady and the two senior headmen. The same informant (well known as a doctor for the 'coming out') told us: 'It means we are planting the chief and his lady; *umpandapanda* is the [illegible] *indola*, which is the more important. *Umpandapanda* is the woman, it may dry up, but *ulupanda* (*indola*) never dies; it is the chief, it is familiar ([illegible]), but *umpandapanda* is not', and a moment or two later, 'the *ulupanda* is the senior village headman, *umpandapanda* is the junior headman'. The strength of the chief is associated with the growth of the trees. If these trees go dry the reign will not be successful, the chief will be defeated in war. If they flourish and grow the reign will be successful, the chief is a ruler. The *indola* planted for Mwaijonga (82) is shown proudly by his great-grandson, and Mwambeta (162) who had a long reign and an enormous family boasted of the size of his *umpandapanda*—'a great spreading tree'. Ideally the young chief should, in due course, sit in the shade of his *indola* with his headmen, to settle disputes.

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[1] Monica Wilson, *Rituals of Kinship*, pp. 124, 143.

[2] When writing *Good Company* I mistakenly thought that two cuttings of the same species were planted. Cf. *Good Company*, p. 27.

622
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796
824
[825]

[787]

After the trees are planted the young men build their senior headman's house and the doctor sets up his hearth bricks, burying medicine beneath them also. The marriage of the chief follows.[2]

622
643
796
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[1] cf. D. Kerr-Cross, 'Crater-Lakes north of Lake Nyasa', *The Geographical Journal*, v, IV (1895), p. 117.

[1113]

[2] According to most accounts, but *vide infra*, p. 58.

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585 He, like many of his men, may have been married long before the 'coming out', but his ritual wedding to the mothers of his heirs follows it, and from the time of his seclusion, until his marriage, he, and all his men, should live as bachelors. The brides are chosen by his village headmen and in theory they are carried off by force, whether betrothed or not, but nowadays, since the [177] Administration discountenances forced marriages, the headmen arrange matters with the girls' families beforehand, very privately, but still they come with a show of force to carry off the brides. Girls are chosen who are approaching puberty and they are taken to the house of a commoner contemporary of their future husband. There they live until both have grown up and the puberty ritual can be celebrated. It follows the usual course except that the [584] neighbours of the man in whose house the brides are secluded play the part of the girls' families, cooking for the groom's party at the prescribed feasts. The chief washes with both girls, thereby acknowledging them as his senior wives; the marriage bed is prepared with medicines and there is great rejoicing. The following morning someone knocks at the door of the nuptial chamber crying: 'War has come', and the chief and his brides rush out to the pasture land, just as the parents of twins do at the end of their ritual.[3] There[4] a long narrow stone (*ilifigo*) is set with medicines [799] in the earth, beside the chief's trees as a symbol of his marriage (*ilimanyilo kya bwegi*) to the mothers of his heirs. 'The stone is the chief' (*ilifigo ili je malafyale*). Hearth-bricks (*amafigo*) are then set up for each bride with medicines buried beneath them, and they are given fire from that ritually kindled by their husband and his headmen. Finally they are given medicines to drink in order to develop in them 'the dignity of chief's wives' (*ubusigyo bwa bwale*).

No marriage is complete, in Nyakyusa eyes, until cattle have 643 been handed over, and though the chief's brides have been carried 583 off by force, cattle—more than double the normal number—are given to their fathers. The village headmen of the retiring generation should provide these cattle and they or their heirs are recompensed when the eldest daughters born of the two wives are

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[3] cf. Monica Wilson, *Rituals of Kinship*, pp. 158, 169.

[4] Mwanyila's marriage apparently preceded the planting of his trees and the phallic stone was erected at the same time as the trees were planted, but the marriages of the sons of Mwangoka *followed* the planting of their trees. The order of events seems to vary, and differences are explained as due to the order of the doctor in charge of the ritual. 'Different doctors have different customs.'

and Mwaipopo and Kissegota smeared it over the tails which
(643) were then put out with the horns to dry in the sun. Mwaipopo
778 suggested getting Mwaisyelage, the doctor, to treat them
789 further, and the others agreed saying: 'Let Mwaipopo find someone, that the earth may be good, that it be heavy.' Njobakosa had spoken earlier of the cattle giving much milk after the treatment of the tails. And they went on to discuss the fact that the young chief Mwankuga II (131) had begotten no child by the wife inherited from his elder brother (130) whose place he had taken. Thus the function of the chief in creating plenty and
[562] fertility was in the priests' minds, and there may be some link between the virility of the chief and success in war—one informant spoke of the chief's senior wives jumping over the tails immediately after the consummation of their marriage—but of this we are not certain. What is common knowledge is that the tails are 'for seizing cattle', and they are associated with 'manure and blood'. We were told at the conclusion of the ritual: 'Formerly we should have gone tomorrow, after this treating of the tails, to fight.'

Besides medicines for majesty, courage, and popularity as rulers, chiefs use medicines to protect themselves against the fearfulness of the groves in which they sacrifice, medicines to 'close the country to hunger', to make their capitals grand, and to cause thieves who have stolen, to walk round and round until caught.

Medicines are regarded as essential to authority, victory, and successful rule, and the kind used and the dose given are adjusted to the status and character of the individual. 'Village headmen
● [622] do not drink the most important ilingile; they drink a lesser one, indiope; the senior headman is given most, the junior less.' And the chief's wives do not drink ilingile at all, but only a powder suitable for them. But the use of these medicines has its dangers. The chief, like other people who have been drinking protective medicines, does not eat the new crops grown on fields fertilised
[759] by ash without fortifying himself. The danger is said to come from the burnt rubbish heaps, because medicines for defence against witches and sorcerers are burnt in them and, as we have seen, certain of the medicines which the chief uses create a power akin to witchcraft. He tastes the new millet ritually in June, the cow
[776] peas in September, and pumpkin leaves in November; and he also tastes the 'new earth' at the break of the rains in October or early November. 'We chiefs fear that the medicines we have drunk will

Njobakesa [the grandfather] ran off with them to Mwalhojo in the hills, where he died so that they disappeared and were never returned to his fellow-priests. Therefore they bury the relics by the *umwafi* tree, at his old homestead, lest someone run off with them again. . . . The hair and nails of the chief are buried there, the earth of the chief will always be heavy. All this is very secret. . . . 643 763 766 [778]

Mwandisi (107, the old blind chief) told us that

When a chief dies they take his nails and hair and put them in the house of his wife who buries them with medicine for fertility of the soil (*ifige*), then at the time of planting the village headmen come and take that medicine to plant the food with. This was done on the death of the chief Mwakalukwa (141) and the chief Mwakalinga (140) and others for, it is said, the chief goes off with our fertility (*imbuto jetu*).

Thus, though our informants differed slightly about the details, they were agreed that the power of growth lies in the nails and hair of a chief, and these must be taken from him while he is yet alive, and later used to fertilize the earth.

The burial of a chief's son with a live black calf we saw for ourselves, and the wailing was delayed until after the burial. A distinctive funeral of this sort is accorded to all the sons of a ruling chief and his senior daughter, but not (we were told) to more distant kinsmen. The other mark of a royal funeral is the slaughter of many head of cattle to accompany the deceased and to feed the mourners. At the death of the chief Mwakyembe (99) over 300 head were killed, and Mwaipopo (116) killed thirty head at the funeral of his mother. Since a chief has many wives and daughters he has many affines all of whom must bring cows to kill, and he also has a large herd himself on which to draw. To fail to feed his people at a funeral is to fail as a chief. The whole country mourns for two or three weeks, no one going to work in the fields, or occupying themselves with ordinary business. All smear themselves with mud, as if they were kinsmen, and even the men bind their bellies tightly with mourning belts 'that they may not tremble'. [765]

(*d*) THE CHIEF AND THE 'BREATH OF MEN'

Fruitfulness, the power of growth (*imbuto*), lies in the chief's body and the village headmen have no share in it; they only tend it, taking care that it does not disappear with the dead. But the headmen share with the chief and the priests the duty of 'watching 643 778 622

643 over the country by day and by night', and power (*amanga*)
778 to see the enemies of darkness (that is, the witches) is thought to
come to each priest or village headman from a python in his
622 belly. No one can fulfil his duties as a ruler and defender unless he is 'heavy', but to have a python inside one is also the mark of a witch. Pressed on the point the Nyakyusa hold that a chief or
[759] village headman only has one python whereas witches have several, but this distinction is not maintained consistently, and many of our informants were agreed that the power of witchcraft and the power to see and fight witches were one and the same. The essential distinction lies in the use to which the power is put; wrongly used it is 'witchcraft' (*ubulosi*); rightly used to defend the village or to punish evil-doers it is 'the breath of men' (*imbepo sya bandu*) and how any particular case is labelled depends upon the viewpoint of the speaker. The victim of a misfortune and his kin will indignantly attribute it to 'witchcraft' when other people regarded it as due to his wrongdoing and a punishment brought about by 'the breath of men'.

Each village headman, together with those of the village who are 'heavy', is thought competent both to defend those of his village whom he judges innocent against witches from outside or within, and to punish wrong-doers, by bringing upon them the chill of fever. Hence those who have angered their neighbours and believe themselves to be attacked by 'witches', take refuge in another village.

The power of witchcraft is believed to be inherited, rarely acquired; but the power of defence is both inherited and increased by drinking medicines, and there seems little doubt that the medicines drunk by chief and village headmen at the 'coming out' to create in themselves *ubusisya*—majesty, awesomeness—also develop *amanga*, the power to see and fight witches. Indeed, one of our Christian informants insisted that *ubusisya lo bulosi*—'awesomeness is witchcraft'.

These ideas have been discussed in some detail elsewhere.[1] Here I am only concerned to show the importance of the belief in 'the breath of men' in the relationship between chief and village headmen. Not only do village headmen have the ultimate power of life and death over their chief, but they are thought to bring illness upon him if he acts unconstitutionally or disregards their advice, or fails in his duty of providing beef for his men. He may

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[1] Monica Wilson, *Good Company*, pp. 91-135.

play one village against another and go to sleep in that section [624]
of the country which supports him, but he dare not anger all his [777]
headmen. In the same way a village headman dare not anger the 622.
main body of his men. In short, public opinion is an effective sanction because those in authority believe that the disapproval of their fellows may bring a fever or paralysis upon them. One of our Christian informants was insistent that, were it not for the belief in the 'breath of men', pagan chiefs and headmen would act tyrannically.

The situations in which a chief or headman fears the breath of
men are very varied. We have already referred to the chief who [754]
thought his illness was due to his refusal to hold the 'coming out' for his sons when advised to do so.[1] Mwaipopo, before whose court a very bitter land dispute between two of his villages had been brought, refused to give judgement and was careful to sleep in the village that had possession of the land, and therefore less cause for anger.[2] Kasitile, the hereditary priest of the chief's lineage who counted as 'a chief' as opposed to 'a commoner', thought he had angered the village headmen of his generation (who had become priests) by not providing meat for them (*vide infra*, p. 103).

The headmen are responsible for the health of their chief and it
is they who go to consult an oracle if he is ill and take him to a
doctor. Mwankuga II (132), heir to Mwaipopo's chiefdom, had not [157]
begotten a son by any of the wives he inherited from his elder
brother who had died. His village headmen[3] went to consult an [753]
oracle and were told that it was the wrath (*[illegible]*) of his father; [787]
so they reported the matter to Mwaipopo, who sent a junior kinsman to consult another oracle. The diagnosis was confirmed
and Mwaipopo gathered his younger brothers and prayed and [782]
told the shades that he had no quarrel with his kinsmen. Then he told the village headmen to take Mwankuga to a doctor for treatment, but this they did not do, so that Mwankuga went to consult a doctor on his own. According to Kasitile it was because the headmen had not taken Mwankuga that the medicine did not work. 'They should take him to the doctor and be present in dreams, to watch over him in dreams.' What the headmen were angry about was not revealed—there was no obvious cause.

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[1] op. cit., pp. [illegible].

[2] op. cit., pp. [illegible].

[3] Mwankuga I who died had 'come out' before Mwankuga II inherited from him, but Mwaipopo ([illegible]) continued to rule as chief and drew a Government salary.

683 As we have seen, the chief's fearsome medicine *ipyfiela* is
779 thought to be very dangerous, and too much in the tails may cause
677 them 'to fly about throttling men and cattle', but a chief is never
[754] accused of working witchcraft; it is inconceivable to the Nyakyusa
that he could be. If the tails have got out of hand they are treated
[789] by a doctor 'to close them up'; no one suggests that the chief should get rid of them. It is commoners, 'black people', who are witches—cannibals, the eaters of raw flesh—as opposed to chiefs who, since the dawn of history, have killed cattle for meat and cooked their food like civilized men. But the distinction does not extend very far; junior kinsmen of the chief are 'commoners' and may well be accused of practising witchcraft.

There was a delicate balance of power in the Nyakyusa constitution between hereditary chief and commoner headmen and [192]
the belief in the power of medicines and of witchcraft was an integral part of it. The chief provided fruitfulness by the power of his own body and his medicines; all men depended upon him for their well-being—food, cattle, children, success in war; but he in his turn depended upon the goodwill of his men led by their village headmen; without it he shivered and fell ill, only to be buried by them 'with the breath still in his body' lest the power of growth disappear with his breathless corpse.

Something of the quality of this mutual dependence and fear is conveyed in Kasitile's account of his own illness quoted in Chapter VIII.

(e) THE NECESSITY FOR HARMONY

157 The welfare of the chiefdom is thought to depend upon
693 harmony between the chief and his village headmen and priests,
622 and also between the chief and his kinsmen. Any friction between
793 them may result in public misfortune as well as sickness to the
individual at fault. The quarrel of Kasitile, the priest, first with
[151] the Kinga priests, and then with the commoner priests of Mwaipopo's
[921] chiefdom was believed to affect the crops and the weather, as well as Kasitile's own health (*vide infra*, pp. 129-41), and Mwaipopo's failure to tell Kasitile formally of the death of their
[698] kinsman led to rain which spoiled the funeral dances. A quarrel between the lineages of two chiefs which should have sacrificed
647 together was said to have been followed by a very poor millet
601 crop (*vide infra*, pp. 79-80, 118, 158).

579 How the personal relationship of a chief with his kinsmen is

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for planting, but now all the fields are muddy, we can neither hoe nor plant.' Five days ago there was no rain but locusts, and people did not plant for fear lest the locusts should eat the rice and maize as it sprouted. Kimende tells me: 'Kyala is very angry. . . . Mwandisi (107, the priest-chief) wants to pray to put things right, he has sent Mwalulelwaya to ask Mwakisisile (170, the ruling chief) for a cow. Mwalulelwaya and Mwakalobo went and the chief agreed saying: "I have not got one now, but I will look for one!" Then Mwalulelwaya sent me (Kimende) to fetch it, but the chief refused saying: "I am busy now." Then Mwandisi (107), who is blind and infirm, went himself, but still there is no cow.' 769 782 [177] [643]

The priests who minister to dead chiefs, like the priests of Lubaga, are of different types. The senior village headmen of a dead chief are responsible for conducting sacrifices at his grove in co-operation with his heir, and when a headman dies his office is taken over by his heir. Where a grove is much honoured this continues for generations and the heirs of one of the village headmen become hereditary keepers of the grove, each incumbent of the office assuming his name. Secondly, there are chiefs of a junior line, who become hereditary priests on whom the ruling chiefs depend for their prayers, but these priest-chiefs do not actually attend the sacrifices; the celebration is delegated to commoner priests and junior kinsmen. Mwandisi (107) mentioned above, Kasitile (88) and Nsumba (90) were all priest-chiefs of this sort. Kasitile prayed at his own home, blowing out water before any celebration in Mwaipopo's country, and he was given the chine of any animal sacrificed on behalf of the country. If this were not done 'all the cattle in the country would die . . . it is the most important part of the meat'. The commoner priests who conducted the ritual always shared the head of the sacrificial beast and the breast went to the chief. With priest-chiefs, as with commoner chiefs, the name of the first incumbent of the office (or an early and famous incumbent) may become a hereditary title, e.g. three generations of priests in Selya have been known as *Kasitile*. 793 622 769

The essential elements in the ritual are: the sacrifice of a black bull or cow in the grove; the offering up of the blood and pieces of the sacred meat from the forelegs, together with the beer, on the earth close to a sacred stone and near a sacred tree; an invocation calling on the shades to come and feast, and petitions for rain, fertility, and health. One piece of meat is thrown down for 769 782

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Chart showing position of sections of chart on "Villages of Mwaipopo' Chiefdom." (Facing page 91)

A	B
C	D

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VILLAGES OF MWAIPOPO'S CH

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Gen.	Chief	Village	Headman	Structural Position	Land
I	*Mwaijonga* ([illegible])	IPINDA	*NJOBAKOSA*	Senior village of Mwaijonga	
		Itiki	*Kiungata*		
		ITEBE	*NGULYO*	Second senior village of Mwaijonga	Moved for Ip
		Bukoba			
		Itumba			
II	*Mwaipopo I* ([illegible])	BUJEGE	MWANSAMBE (Mwagumu)	Sons of Ipinda and Itiki	Moved for Lu
	Mwaipopo II ([illegible])				
		Bujinga	Kasolile		Moved for Ip
		Lupaso		Older section of Bujinga	Moved at [illegible] Mwankuga II,
		Kisyela			
		Busisiali		Contemporaries of Mwaipopo II	
		Bulindamaja	Mwaseta	Much younger men than those of Bujege	
		Kibonde	Mwakibete		
		LUPONDO	*MWAIKOFU*	Sons of Bukoba	
		Kyumo	*Kapale*		
		Kitolo	Mwangeba		
		Kalonde	*Mwakitumagi*		
III	*Mwankuga I* ([illegible])	IGEMBE	MWAMBUPUTA (Mwaikenge) b. c. 1880 active in 1935	Sons of Bujege	
	Mwankuga II ([illegible]) active 1935				
		Kararaba		Younger brothers and a few sons of Igembe	
		Lupando	Name (active 1935)		Moved for I members gon
		Ipassa	Kalusile	Sons of Bujinga and Busisiali. Younger men than in Igembe	Got land fro
		Ndongozi		Younger brothers of Ipassa	Moved aside
		Kibonde (junior section)	Mwakilola	Sons of Kibonde	
		NJESI	KAKUJU (old & fragile 1935)	Sons of Lupando	
		Mpanga	Mwakatilo	Younger sons of Lupando	
		Isaka	Mwakalinda	Younger sons of Lupando	
		Lukwoga	Lyaomba	Sons of Kitolo	
		Ndolo	Nyambega	Sons of Kalonde	
		Kibui	Kamisa	New village	Colony in far
		Kibita	Name (of Lupando)	New village	Colony in far

[facing p. 91; section A]

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OF MWAIPOPO'S CHIEFDOM[1]

	Land	Numbers (Men or boys) 1955	Comments
			Widows of Mwaipopo live here
			Not surviving
jonga	Moved for Iponua	6	
			Not surviving
			Not surviving
	Moved for Lupando	8 (31 wives)	
	Moved for Iponua		
	Moved at coming out of Mwankuga II, but not again		
II		7 (22 wives)	
at of			First built where Isiki is now. Driven out by Bujege
			Chiefdom of Mwakipesile
		9	
			Disappeared by 1955
			Chiefdom of Mwakalulu
		8 (30 wives)	Mwambupeta now senior priest of country. 'Brought out' Mwanyila.
n of		10	Junior members including Kilasile moved to Lupando. 37 members in 1956.
	Moved for Lupando. Many members gone to forest.		Nsaa now headman of Kiloba, new village in forest.
	Got land from Bujinga		Akimu, son of Mwaipopo II, a former member, moved to forest.
	Moved southward		
			Sub-chief Likenyela
		12 (26 wives)	
		8	
			Mwakilembe sub-chief
	Colony in forest	98	Akimu, a junior son of Mwaipopo II, was sent to watch over this colony. In 1955 Mwakasagala was established as sub-chief of the area.
	Colony in forest	136	Possibly subdivided

[facing p. 91; section B]

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		Kibonde (junior section)	*Mwakileke*	Sons of Kibonde	
		NJESI	KAKUJU (old & fragile 1955)	Sons of Lupondo	
		Mpunga	Mwakatika	Younger sons of Lupondo	
		Isuba	Mwakabumbe	Youngest sons of Lupondo	
		Lukwego	Lyambèlo	Sons of Kitule	
		Ndobo	Nyambego	Sons of Kabula	
		Kilosi	Katebule	New village	Colony in fore
		Kiloba	Nsusa (of Lupombo)	New village	Colony in fore
IV	Mwanyila (177)	Lupando	KILASILE MWANSASU	Sons of Igombe Married	Occupies are by parts of I and Lupomb out' of Mwan some member and some sout make room for members of Ig the headman and Lupombe
		Nsanga	KILASILE MWANSASU	Section of Lupando. Younger sons of Igombe and Lupombe. Married.	
		Isiki	KILASILE MWANSASU	Sons of Igombe and Lupombe some married, some c. 14	
		Ndola	KILASILE MWANSASU	Sons of Igombe and Lupombe. Some married. 12 boys.	
		Bujisi	Paulik Mwambege	Sons of Ipusa. Mostly married.	Occupies the Isuba of gro split and has to the north then by Ips moved some at 'coming ou Bwishaki II have also mo
		Pungala	Balyemo Mwakasumbula	Sons of Kibonde III	
		IRINGA	SIKAMBOMBO KIGULEWE	Sons of Njisi. Some married.	Occupies lan ped by Njisi
		Masoko	SIKAMBOMBO KIGULEWE	Sons of Mpunga and Njisi	
		Katula	SIKAMBOMBO KIGULEWE	Sons of Masoko and Mpunga. Younger brothers of Iringa. Ages 13-20 years.	
		Mbambi	Barangula Mwamwaila	Sons of Isuba	
		Pungala	Barangula Mwamwaila	Sons of Isuba. Younger brothers of Mbambi. Ages c. 10-13 yrs.	
		Kimili		Sons of Lukwego	
		Kabusa		Sons of Ndobo	
		Nkaja	Mwanjatila	New village	Colony in fore

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[1] A more elaborate version of this table appeared in Good Company. Certain misspellings and errors [illegible]
Capitals = senior village of senior headmen of chiefdoms.
Italics = dead.
Total No. of taxpayers (including migrant labourers) 1955: 850.

[facing p. 91; section C]

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			Sub-chief Likosyela
		12 (26 wives)	
		8	
			Mwakibweli sub-chief
	Colony in forest	48	Akimu, a junior son of Mwaipopo II, was sent to watch over this colony. In 1953 Mwabungulu was established as sub-chief of the area.
	Colony in forest	156	Possibly subdivided
	Occupies site previously held by parts of Bujege, Igembe, and Lupembo. At 'coming out' of Mwanyilu Bujege split, some members moving north, and some south, some west, to make room for Lupando. Some members of Igembe, including the headman, moved south, and Lupembo moved west.	20 (including Nsanga)	Kilasile first built in Katumba. Father was in Igembe. Born *c.* 1912. Made fire at Mwanyilu's 'coming out'. This village has a new name. It was originally called Mpuguso.
some ried.			These Mwanyilu's mates. He first built here.
came		11	Christian village near school. Mwabungulu (178) first built here but moved to forest. Mwakagile (59) had occupied this site, then Mwaijonga built Itiki I on it.
		25	3 men of Bujege who had to move to make room for Lupando have built at one end of Ndola but this is irregular.
d.	Occupies the site first held by Isuba of generation I which split and has two tiny sections to the north and south, and then by Ipoma III which moved some distance to south at 'coming out' of Mwanyilu. Busirkali II and Bujinga II have also moved southward.		F. of Pauliki in Busirkali. Bujisi also called Ipoma. New name has scarcely been established.
			No son of Likosyela 'came out' with Mwanyilu.
	Occupies land formerly occupied by Njisi	29 (14 wives)	17 men away at work, 12 present. Sikambembo made fire at Mwanyilu's 'coming out'. His father was in Njisi.
		10	
		23	
			Also called Isuba
ces of			
			Names of villages of generation IV not ascertained.
			Names of villages of generation IV not ascertained.
	Colony in forest	156	New village established for second heir Mwabungulu, who is a sub-chief. Possibly subdivided.

spellings and errors have been corrected and the villages established in generation IV added.

[facing p. 91; section D]

system is still the accepted form in Mwaipopo's chiefdom; the 631
advantages of separating kinsmen in different villages are ex- 166
plicitly stated, and the contrast between the Nyakyusa and their 561
neighbours in this respect emphasized. 'Certainly we do not live 361
with kinsmen here but the Kinga do.' 'It is not good for a son to [183]
live close to his father, they will quarrel.' 'When we move to [602]
another village we consider friendship not kinship in selecting it.'

(b) THE BALANCE BETWEEN GENERATIONS AND SECTIONS

The ritual cycle of the 'coming out' and the sacrifices in the 643
groves helped to maintain a balance of power between generations, 561
as well as between chiefs and commoners. At the 'coming out' of 796
Mwanyilu (177) in 1953 it was Mwabuputa, the senior village headman of his father, who took the leading part. He was described as 'the greatest man in the country' who 'brings out the chief' and his manner indicated that he was well aware of his power. During the reign of Mwaipopo (116) the power of his
father's village headmen, Njobakosa and Ngulyo, was apparent [554]
at every ritual. Spiritual power was shared between chiefs and commoners, but exercised ideally by a virile chief of the ruling generation and the experienced headmen of the retired generation.

Those chosen as senior village headmen at the 'coming out' [622]
are commonly older than the young chief, but village headmen
are thought of as surviving their chief—it is they who were res- [782]
ponsible for smothering him, and performing the sacrifices in his grove. The headmanship is an *office* and so long as the office is necessary an incumbent is found for it, in the person of the heir of the original holder who is so closely identified with the deceased that most precise inquiry is often necessary to establish whether a given individual is the original holder, the succeeding heir, or a later heir, successor to the successor. The Ngulyo who officiated at the rituals in 1935 was the heir of the original Ngulyo (some said
the *grandson*, not the son) and he was criticized by Kasitile as being [554]
'a young man who knew nothing'. The principle, so familiar in [769]
Central Africa, of a perpetual office[1] emerges, among the

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[1] I. Cunnison, *Kinship and Local Organization on the Luapula*, Communications of the [113]
Rhodes-Livingstone Institute No. 5 (1950), pp. 14-15; J. C. Mitchell, *The Yao Village*, Manchester (1956), p. 122; A. I. Richards, *Land, Labour and Diet in Northern Rhodesia*, O.U.P. (1939), p. 24; 'Some Types of Family Structure among the Central Bantu, in *African Systems of Kinship and Marriage*, p. 224; J. Roscoe, *The Baganda*, London (1911), p. 3.

643 Nyakyusa, when sacrifices are continued in the grove of a dead chief
561 such as Mwakisambwe (30), for an indefinite number of genera-
796 tions, and the heirs of his senior village headmen serve as his
[769] priests, taking the name of the first holder of the office. Most of the
[793] priests of Lubaga held perpetual titles of this sort. The conception
of the *corporation sole* is familiar enough in the western tradition, but European observers in Africa are sometimes confused by the use of a personal name and the almost complete identification of each holder with his predecessors, as well as by the practice of treating certain kinship relationships as if they were offices.

Generation was determined among the Nyakyusa by associa-
561 tion with a chief. There was no name for those who 'came out'
796 together other than that of their chief, who was the focus of the
ritual. On the other hand, however, a 'coming out' concerned a
173 whole generation, and it could not be held out of season. If the
634 heir died he was replaced by a brother, as were Mwaipopo I
[611] (115) and Mwankuga I (150). If a chief had no male heir of the right age in his senior house his daughter might represent an heir. For example, at the coming out of the sons of Mwaijonga, it was a *girl* Ijonga (114) who performed the leading part in the ritual which fell due before the birth of Mwaipopo I (115). When Mwaipopo I was born and grew up he assumed office, but he died young and was replaced by his younger brother without a further celebration. Because the 'coming out' was thus linked to the maturity of a whole generation we have felt some confidence in assigning approximate dates to the arrival of the heroes. The period between each 'coming out' we estimate at thirty to thirty-five years, though the higher figure is probably more nearly correct. There must in fact have been some flexibility in the timing of the 'coming out' to account for the differences in the number of generations of ruling chiefs in different segments of the lineage. Some of the differences may be due to errors (e.g. it is possible that 70 is an elder brother not the father of 98, and that a generation has been omitted between Mwakapeje (54) and Mwakage (75), but even where there is little possibility of error the number of generations does not always tally.

643 In theory a man always belongs to the generation succeeding
that of his father, irrespective of his age, provided he has not
561 inherited from a man of the previous generation and taken his
622 status, but in practice, since men often have sons of very different

ages, they sometimes build in villages of different generations. 561
When it comes to the selection of village headmen, however, 643
care is taken to ensure that they are indeed sons of men who came 622
out with the previous chief, and a village like Katumba which comprised both younger brothers and sons of Mwankuga's generation breaks up, some members 'coming out' with Mwankuga's son, others acting as 'fathers'. Within a village all the members are equal subject to their headman, but a hierarchy of villages is clear.

The pre-eminence of the two senior village headmen of a chief 631
is marked. They alone make fire with him at the 'coming out'. 643
They alone are handed war tails with which to lead their men in [293]
battle. Each is responsible for one half of the country and a dispute [778]
not settled by the headman of the village of the defendant is reported to the senior headman in whose side of the country the village lies, and he brings it before the chief. Each senior headman has his own village, the two senior villages of the country, in which the royal ladies live; the senior wife married at the 'coming out' is established close to the senior village headman, the second wife close to the second senior headman. A chief may establish wives in a number of villages, and some at least of those he inherits from his father continue to live in his father's old homestead 'to sweep the graves', but his capitals (*ifitangalala*) are the two senior villages of the country in which his two senior wives and two senior village headmen live[1] and the names of the capitals are used not only for the senior villages but for the half sections of the generation they lead. The importance of the two senior headmen is apparent even when their generation has handed over political authority to their sons. At the sacrifices we have described Njobakosa and Ngulyo, heirs of the senior headmen of the chief Mwaijonga (82) officiated, and at the 'coming out' of Mwanyilu (177) it was Mwambuputa and Kakuju his father's senior headmen who organized the ritual.

Each village established at a 'coming out' is a clearly defined 621
unit with its own land, and leader, and name, but villages are also 631
segments of larger units, the half-section of the chiefdom under a 561
senior headman, and the whole chiefdom under the leadership of

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[1] Mwanyilu (177), though he had two senior headmen, established his two senior wives in one house, close to the house of Kilasile his most senior headman. This was explained as a temporary measure 'because they were young', but it is not the traditional pattern, and may be linked with the fact that the splitting of the country each generation is no longer accepted as the inevitable pattern.

621 the chief himself. The members of each village co-operate in some
561 measure in cultivation and herding and they form a defensive
group against attack 'by day and by night'—i.e. against armed
631 raiders and witches.[1] But there is no great elaboration of ritual
for single villages. Such village rituals as occur are connected with
[788] defence against witchcraft and involve driving out a supposed
[754] witch, or receiving back a member who has fled from fear of
witchcraft, or protecting the village fields against witches.[2]
Most communal rituals are organized on the basis of the chiefdom or group of chiefdoms, and villages or sections participate as segments of the chiefdom.

The principle of generation and that of section hold one another in check. All those who have 'come out' together have a strong sense of unity as opposed to the generations of their fathers and sons, but every generation is split into two sections each led by an heir of the chief, and these sections have a certain territorial solidarity. It is common in Africa for organized age-groups to cut across kinship and territorial groups. The Nyakyusa peculiarity lies in the territorial unity of age-sets which occupy villages, and the manner in which the fissiparous tendencies within a chiefdom have a constitutional outlet in the rivalry between the sections of a ruling generation which become independent at the 'coming out' of the next generation.

The combination of the hereditary and selective principles of leadership among the Nyakyusa is also somewhat different from that among their neighbours. With many Central African people the heir to the holder of the office of village headman or chief is *selected*, and the most capable member of a given lineage or lineage
[643] segment appointed.[3] Among the Nyakyusa succession is precisely
[622] defined and there is no selection of a suitable heir except to the
supreme and greatly feared office of 'divine king', but the selective principle is given full scope in the 'catching' of leaders for the young men's villages at every 'coming out'. It is this combination of the hereditary and selective principles which binds together chiefs and commoners and successive generations. The rules of

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[1] Monica Wilson, *Good Company*, pp. [illegible].

[2] *op. cit.*, pp. [illegible].

[3] I. Cunnison, 'Headmanship and Ritual of Luapula Villages', *Africa*, xxvi (1956), p. [illegible]; M. G. Marwick, 'The Social Context of Cewa Witch Beliefs', *Africa*, xxii (1952), pp. [illegible]; V. Turner, 'Ndembu Village Structure', *Africa*, [illegible]; J. C. Mitchell, *The Yao Village*, Manchester (1956), pp. [illegible].

inheritance ensure that a limited number of young men are 621
absorbed into the senior generation and live with the older men, 561
sharing their activities and from time to time holding office as 631
headmen or priests of that generation, and the selection in each [643]
generation of young men who are not the sons of village headmen, [622]
or chiefs, or headmen of the past generation, ensures that commoners without office are constantly recruited to the hierarchy of rulers. In short, power is distributed.

(c) RITUAL AND SECULAR BONDS

As in so many societies, economic and ritual links extended, 631
traditionally, further than political links.[1] Selya was dependent 782
upon BuKinga for iron and the Kinga came to fruitful Selya to pray for fertility. The priests who came to pray brought the hoes.
The many independent chiefdoms of Selya and the Mbaka valley [643]
acknowledged the spiritual overlordship of the Lwembe by
sending sacrifices to him, and it was through the network of [793]
hereditary priests like Kasitile, Mwamakonda, Mwalukuta, and Nyasma of Selya, and the Kinga priests Kikungulelja, Nsyanigwa, Kyamba Kitali, and Silobwike that wider bonds were maintained. Mwaipopo (116) when he was granted a Court which gave him the secular leadership of Selya, failed to make any acknowledgement of Lwembe's traditional power, and it was Kasitile who
later urged him to do so. The western chiefdoms of the Nyakyusa [438]
still buy medicines and bark-cloth from the Ndali to the west, and have done so for many generations, but no common ritual links
them as it does Selya and the plain with BuKinga. The trade was of [184]
lesser importance than that to the east, for it does not seem to
have included iron, though the Nyiha who share a common [326]
culture with the Lambya, the western neighbours of the Nyakyusa,
are known to have been skilled smiths.[2] With the Sangu to the [721]

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[1] cf. E. Colson, 'The Plateau Tonga of Nort[illegible]hodesia' in Seven Tribes of British Central Africa (ed. Colson and Gluckman).

A comparison with the frontier in West and South Africa where economic and religious expansion compelled the establishment of Government is instructive. Cf. W. K. Hancock, Survey of British Commonwealth Affairs, vol. ii, part ii, pp. 160-8.

[2] D. Kerr-Cross, 'Geographical Notes on the Country between the Lakes Nyasa, Rukwa, and Tanganyika', The Scottish Geographical Magazine vi (1890), p. 285. Elton's suggestion that some of the Nyakyusa iron came from the west is discussed by Cotterill. J. F. Elton, The Lakes and Mountains of Eastern and Central Africa (1879), p. 370 and map, cf. J. Thomson, To the Central African Lakes and Back, vol. i, p. 272.

Note

621 631 561 [103] [796] It should be realized that (i) the names of the two senior villages of a generation are well known and clear cut, but those of subordinate villages are more fluid. Furthermore a village often has subdivisions, distinguished by its members by name, but known to outsiders only by the general village name. (ii) A village may acquire a new name at the 'coming out'; the senior village of Mwanyilu's generation used to be called 'Mpuguso' but 'came out' as 'Lupando'. (iii) Some villages die out altogether, e.g. Kyemo II. (iv) Some villages straddle generations. Katela in 1955 is in the same sort of position as Katumba in 1935. It includes eight sons of Mpunga who belong to generation III, but also fourteen sons of men of Masoko who 'came out' with Mwanyilu. In the case of Katumba the members who were sons of men of generation III moved to younger villages and 'came out' with Mwanyilu, among them being his senior headman Kilasile, a man of over forty. But Kilasile's contemporaries who were sons of men of generation II could not 'come out' with Mwanyilu, at least not as a group—and the members of Katumba attended the 'coming out' as 'fathers'. Boys join a village of contemporaries but may move later to a village of younger men who are of their own structural generation.

At the 'coming out' of Mwanyilu and Mwalungulu five village headmen were 'caught' and secluded with their chiefs. They represented five clear-cut villages. Kilasile and Sikambombe, Mwanyilu's two senior headmen who made fire are leaders of Lupando and Iringa respectively; Paulili and Batangula their juniors are leaders of [622] Bujni (or Ipoma) and Mfumbi (or Iouha), and Mwanjotile the single headman of the junior heir, Mwalungulu, has his own village of Nkuyu established on newly settled land in the forest. The young men of Kilosombe were included under Kilasile's authority, and those of Kitali and Kabula under Sikambombe's. The names Lupando and Iringa are well known as those of sections of Mwanyilu's chiefdom, but the names Bujni and Mfumbi are not: the young men of these villages still use the names of their fathers' villages, Ipoma and Iouha, though there is a clear territorial separation between fathers and sons. Taxes [651] are collected under the names of Igembe, Ipoma, Kilosombe, Njuni, Iouha, Kitali, and the three forest villages, Kiboni, Kiloha, and Nkuyu

[p. 101 is blank]

754 but I see them. It's taboo to speak. They must seek blood and they go
775 off; we fear them!
QUESTION: Why do you chiefs never speak out if you are throttled?
753 KASITILA: If I speak how many would there be to name? Very many!
[669] For us it's taboo to accuse a man of witchcraft, but the commoners
[554] accuse one another. Look you, do few people keep you company?
Many!
Like us chiefs, everyone comes. It's taboo for us to speak out, we
fear. Look you, when Mwambene (Mwaipopo 118) and I were alone
we feared to throw out the beer, we said: 'If we throw it out will they
leave?' But when Kimeguta came, he said: 'All right, I will throw it
[752] out myself.' We fear the fierce great priests, the terrible witches, they
are angry.[3] We shriek when they appear.

● [632] The village headmen of the country call on the priests for help
against us, they whisper by the fire, the priests come in their witchcraft,
they call on my shades saying, 'Let us punish him', also they eat,
[793] together with the shades. Our shades never initiate anything, never;
they look to the priests. But with a commoner the shade may initiate
matters himself. Yes, people whisper indeed, but is that witchcraft?
No! They whisper openly and ask, 'Why did you not perform the
ritual?' But even although people are silent, still the shade comes
[648] saying, 'Why did you not perform the ritual? I am on the road.' He
initiates the thing himself.

QUESTION: But don't people eat meat at the ritual of a commoner?

KASITILA: Yes, and if he does not celebrate it they accuse him, but they
accuse him openly.

QUESTION: If the heir buries him with a few cattle?

668 KASITILA: If a rich commoner dies and the heir buries him with only
775 one cow, the shades are angry and the people also; their chilling
breath comes on his body, perhaps he falls ill himself, perhaps his
774 child falls ill, but the people and witches do not meet together, people
are angry here, and the shades there; all of them and the shades too,
because he has celebrated with one cow only. People are angry because
they wish to eat the meat. But the oracle says, 'The shades are angry.'
[787] It does not speak of people, it knows that people also are angry, but
it speaks of the shades. And at the celebration he prays in the evening,
the next day he calls people and kills a cow, and throws the sacred
[783] meat in the banana grove, saying, 'Here is your meat, father.' People
say, 'Indeed he did wrong, his father was angry', but they do not
confess saying, 'It was we', no, they say 'the shades' . . .

[826] We chiefs have bodies which are different, the commoners arrived
[554] here in the country, they ate raw food, we fear them saying, 'They eat
raw food.' It is we who followed and brought fire. To us they confess

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[3] [illegible]. The noun [illegible] implies awe, ferocity, and dislike.

The elder watches over the morals of his flock and it is his duty to report to the Session any breaches of Church law among his people. Through him the cards entitling members to attend communion are distributed, and cards are withheld from those whom the Session has agreed must be suspended from membership. Each man has, on the average, 125 people to care for. The women elders organize the women's weekly meetings, and take parties of women on preaching tours in pagan villages. They are the leaders in any charitable activities of the congregation and in the instruction of a Christian girl at her marriage. A woman elder settles disputes between two women, and in family quarrels she is often asked by the elder in charge of the village to help him to reconcile the couple. She is also a supervisor of morals and reports to the local elder if she 'hears any woman speaking like a pagan'. Deacons are elected like elders and are primarily responsible for the collection of Church dues and the administration of Church funds, but in a village in which there is no elder a deacon will carry out some of his duties. 795* 797* [603] [627]

In practice, then, each local group—a Christian village or village section—has its chosen leader, a male elder or deacon who conducts daily prayers in the local school house or his own home, and also fulfils many of the functions of an assistant village headman, arbitrating in disputes and acting as the spokesman of his village section. The traditional organization of the age-villages, in which an individual had some choice as to the village he should join, and was not bound by kinship connexions, makes an adaptation to villages in which those of the same faith live together easy. It is noticeable that the Pentecostal and Watch Tower converts build their own village sections apart from Moravians or Lutherans. And since the traditional village leaders are chosen, not hereditary, it is very easy for a leading Christian to become an assistant headman, more or less formally recognized by the village headman named at the 'coming out'. [621] [622]

At first the teachers were more directly under the supervision of the missionary than of the congregation, being selected by him and paid by the mission, but in the middle thirties, when funds from Germany ceased coming to the Moravian and Lutheran missions, the payment of village school teachers fell on the congregations of those denominations. Each village wanting a school had to provide a building, and in this pagans and Christians often co-operated, for many pagans also wanted their children to [871]

marriage is a sacrament, a mystical union of husband and wife
777 who wash together in the 'blood' of the husband's lineage; and at
775 death kinsmen share a communion with the 'faithful departed'.

[771] We have already touched on the changing conception of *Kyala*.
The idea of a supreme power, or creator, distinct from the shades
776 and heroes, is clear enough to Christians and is becoming more
777 and more familiar to pagans, a young prince even insisting that his
775 father and Kasitile could bring rain only 'if God wills' (vide
supra, p. 115). Christians believe that 'God alone sends rain', and
they are profoundly sceptical of the pagan rain-maker.

The Christians also speak of Satan (Setani) whom some identify
777 with 'Mbasi' (Lwembe) and to whom the more orthodox attribute
775 evil dreams of snakes and lions and fighting, which the pagans
attribute to witchcraft. To the pagan the snake is the witch come
754 to attack him; to the Christian it is Satan come to tempt him. The orthodox, following the teaching of missionaries, deny the existence of witchcraft, but most admit to a lively fear of sorcery which is rationalized as 'poisoning', though when the conception is examined it can be shown to include much beside poison put in food or drink. Some of our closest Christian friends admitted their fears. X, the Christian wife of a pagan chief, said one day when we were discussing witchcraft: 'You dissemble like all Europeans, you do not wish to admit belief in witchcraft, you are just pretending.' 'You really think we believe in it?' 'Yes, we all know that Europeans just hide their belief.'

Another chief's wife, Y, also a professing Christian, said: 'We all believe in witchcraft, it really exists.' Then she went on to tell how someone had come to 'choke' her one night recently when she was visiting her own people:

> I woke out of a heavy sleep with a pain in the back of my neck and my head. It was as if someone was stamping on my head. I woke up feeling heavy, I was very heavy. I said: 'If I die, you also will die. Who is outside? Who is choking me? Do they not fear God (Kyala)?' Then someone kicked the door and I shouted, 'Mother, mother!' and I heard footsteps going away.

[622] When asked whether she believed that village headmen protected their people from witchcraft she went on:

> They fight the witches by night, they protect their people, they see the witches and drive them away.
> Question: How do you know that witches really exist, do they admit themselves to be witches?

their wives took to wearing cloth they should earn it for themselves [77
by growing and selling millet and brewing beer, and many [595]
women do the clearing and hoeing in their fields, work that used to [462]
fall to men; but it is difficult for a chief to refuse to provide a man to hoe the ridges in his wife's field, or to refuse an elderly woman a cloth or some salt, and young heirs grumble much about their encumbrances.

In the political field there has been a sustained attempt to make
local government more democratic and to include in it the educated [648]
men. Between 1891, when the German Government first assumed
control of the area, and 1938, the tendency was for the power of [643]
the chiefs to be increased at the expense of that of the commoners. This was admitted by the chiefs themselves, as we have seen.
In 1949 there was established a system of Rural Councils, on [646]
which chiefs, village headmen (*amafumu*), and ordinary commoners are represented. Four[1] of each category are chosen as representatives on the Council in their area by an electoral college itself
elected by all taxpayers. Rungwe District is divided into five areas. [613]
The policy of treating some chiefs as senior to others has been [622]
abandoned and each of the seventy-eight recognized rulers
(*abatwa*) is eligible for election as a chief's representative on his [646]
local Rural Council. Village headmen (two from each chiefdom) and the ordinary commoners are similarly chosen. The five Rural Councils in turn elect one man of each sort to the District Council.[2]
The system allows for, and seems to have achieved, a combination [554]
of men with traditionally high status and those who are conspicuous by reason of their education or success as coffee or rice farmers. The old feeling that education was not necessary to a chief's son, though it might be useful to a poor man, has vanished, and a considerable number of the educated leaders of the district are sons or grandsons of chiefs. The elected president of the District Council, Mr. Gordon Mwansasu (186) is of the Nyakyusa chiefs' lineage, though not of the most senior line. In the Rural Councils the presidents elected have all, with one exception, been ruling chiefs, but it is not necessarily the genealogically senior
who is chosen. There is scope for selection on the grounds of [555]
character and ability.

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[1] Five in the populous plain, Ntebela [illegible].

[2] cf. Z. E. Kingdon, 'The Initiation of a System of Local Government by African Rural Councils in Rungwe District of Tanganyika', *Journal of African Administration*, vol. iii, 4 (1951).

177 [643] [648] The office of chieftainship still carries high prestige and the District Council has actually resolved to select a paramount chief. Competition for this position is fierce and it remains to be seen whether the Council will ever agree on a nomination. The persistent suggestion that the Administration should undertake the invidious task and select a paramount is scarcely likely to be acted upon, since the Administration sees no necessity for establishing such an office.

[692] [646] Chiefs, assisted by their village headmen, are the executive officers of the Rural Councils, but they have lost their judicial functions. There are twenty-four recognized courts with a bench of 'courtholders' appointed annually by the Rural Councils, and one superior court, but the annual appointment ceased in 1956 and more permanent appointments were made. The aim is to develop a specialized judiciary independent of the executive. There is also a very important class of full-time civil servants, secretaries of the District and Rural Councils, and clerks of the courts.

● [622] The position of village headman is in a fluid state. Where the 'coming out' ritual has been dropped, the traditional occasion for the formal appointment of village headmen no longer arises, and old men continue in office much longer than before. When a headman dies his heir sometimes takes his position or, if neither the heir nor a junior son will accept it, some other man is appointed by the chief. There is evidence that in many chiefdoms men are reluctant to undertake the position, which carries no salary but involves a considerable amount of work and makes it difficult or impossible for a man to engage in paid employment either within or outside the District. As one woman put it, 'Money has killed the office of village headman' (*Indalama zigogile ubufumu*). There is some evidence from the lake-shore plain, however, of men competing for the office, and indeed of a son claiming in the courts the headmanship his father held. Possibly the competition for land on the plain, and the fact that the allocation of land lies with the village headman, account for this. When all the arable land is taken up, it is probable that acquisition will be [622] [623] through inheritance or sale only, and the present headman's power to allocate land is likely to vanish; but one of the most important assets of a village is its pasture-land, and in controlling and developing this the headman may well play a decisive part in the future. Since village headmen are essential executive officers in local administration, and are integrated into the new system of

Councils, the importance of establishing machinery for their [77] appointment in chiefdoms where the 'coming out' is no longer [633] held is obvious. [623]

The traditional communal rituals have not been dropped altogether, but their celebration is sporadic and not everyone [561] supports them. Careful enquiries suggest that in less than half of [776] the chiefdoms has the 'coming out' been celebrated when it was due. In the most conservative portion of the district, Selya, there [641] were celebrations in 1952 and 1954, but even in that area a number of the ruling chiefs have never 'come out'. The omission is due partly to the desire of the old men to retain office, partly to the increase in population and the planting of coffee which makes any new deal in land unacceptable, and partly to the feeling of many that the old ritual is an anachronism, if not directly incompatible with their new faith in Christianity. Some chiefs who have not 'come out' would welcome a celebration; one such said to us that 'if the "coming out" died chieftainship would die'; but a young chief's personal wishes are not decisive in this matter. Sacrifices at the [782] groves of chiefs and heroes are not as frequent as before, but they still occur at some groves in time of drought or other emergency. [72] The Kinga came to Lubaga in 1954, and they were expected to come and bury Kasitile's heir in 1955. In 1954 also there were sacrifices to Mwaijonga (82) and Mwakilembwe (91) for it was a season of scarcity. Rituals for cleansing the country and sprinkling the homesteads occur sporadically 'when occasion demands', but not annually in any chiefdom and never in some. And when [771] celebrations do occur they do not unite the people of a chiefdom as they used to do. Christians oppose them and many non-Christians are also sceptical.

In 1935 the traditional rituals celebrated by lineages and chiefdoms formed a coherent system. They were directed towards the [769] shades and the heroes, as was manifest in the sacrifices and in [776] the dramas of death and rebirth when those secluded 'dwelt with the shades' or were "brought forth" by rituals,[1] and most participants were then conscious, in greater or lesser degree, of the symbolism implicit in the actions they performed. By 1955 the ritual cycle was nowhere celebrated in full; what remained were 'bits and pieces' of ritual, none of them fully intelligible without reference to the complete cycle. The link between the rites and the shades and the heroes was less close, and the symbolism less

[1] Vide supra, pp. 17–48, 51–83; *Rituals of Kinship*, pp. 51, 98, 121, 200–13, 223.

CHAPTER II

THE TRADITIONAL SYSTEM

Although this essay is to be primarily concerned with the modern and changing land and population situation among the Nyakyusa of the Lake Plains, it is quite essential first to have an understanding of the traditional systems of political and territorial organisation and of land tenure. This is not mere historicism, for despite changes the traditional system remains as the basis of contemporary land-holding and land law. Whilst actual conditions on the ground change, the Nyakyusa appreciation of those changes and their attitudes to land lag significantly behind. In brief, the traditional system was geared to a situation where there was plenty of land. Today the people find real difficulty in adjusting themselves to a high density of population and an acute shortage of land, with the result that this new situation is aggravated by outmoded practices, attitudes and cultural values.

The ancestors of the present group of peoples now known collectively as the Nyakyusa, moved into the Rungwe region from the Ukinga Highlands to the east beyond the peaks of the Livingstone Mountains. According to legend, which is probably substantially true, these newcomers found a sparsely populated country which they easily occupied. Later, following internecine strife, one group under a man called Mwakyusa left the Masoko area in the centre of present-day Rungwe District and moved down into the Lake Plains. There, probably less than 150 years ago, they drove out the Ngonde people and settled. The sons of Mwakyusa took their shares of the country and people and established their independent chiefdoms. The chiefs in 1955 are the lineal descendants, mainly in the fifth generation, of Mwakyusa, and have a well-known genealogy. The only exception to this occurs amongst the group of tiny chiefdoms in the extreme east under the Livingstones, which now form a single administrative chiefdom under Mwakilima and number some 400 men. They trace descent from pre-Nyakyusa settlers known as the [illegible].

Traditionally, as today, the village was the basic unit both in social life generally and in land-holding in particular. The Nyakyusa village was possibly unique in Africa. It was comprised of men of roughly the same age, together with their wives and young children, and it excluded their fathers and sons and also, very often, their elder and younger brothers. Each village consisted of a close group of houses (often centred on a broad "village street"), with arable and pastoral land around it. Each village had fairly well-defined boundaries with its neighbours. The village was represented as a [illegible] who was the guardian of villagers' land rights, the arbiter in land problems and disputes, and the controller of unused land. He was also the political and ritual leader of the village, but nevertheless he was a commoner chosen from amongst the villagers themselves, and was not a member of a chiefly lineage.

Land was owned by the village as a group. Every man resident in the village had a clear right to a site for his house and banana plot and to arable land within the village boundaries; he also had a right to graze his cattle in its communal pastures. Residence gave these rights and members of other villages were excluded. A man who left the village automatically gave up these rights, though if he returned he was able to take up his former holding or its equivalent.

villages grew ever smaller and became extinct as their members gradually died off in old age.

A Nyakyusa village, then, used to belong to the most significant political, social and religious group. Each village had its own approximately demarcated, and each headman was chiefly and magically strengthened in order to lead and protect his men and their families.

This particular system operated satisfactorily in the demographic and land-using conditions of the old days. By the process of bifurcation, briefly described above, new chiefdoms and new villages were formed for each generation. Although the population appears to have been increasing rapidly there was always sufficient land to create two chiefdoms where one had existed before, and to create new villages and more villages than had existed before in the old chiefdom. The two new chiefs were able easily to move apart and find sufficient and more than sufficient land for their needs.

The system of bifurcation, the ideal of the Nyakyusa, did not always work out so neatly in practice – at any rate it often did not in the Lake Plains. Sometimes it did work; for example, the present chiefdoms of [illegible] and [illegible] are the two parts of their grandfather's single chiefdom, which split up under their respective fathers. Similarly, the present [illegible] and [illegible] chiefdoms descended from a single unit, whilst the [illegible] chiefdom itself today is really two indigenous chiefdoms, but the Government would recognise only the senior brother's claim to chiefship and allowed him authority over the whole. Even where a single new chiefdom succeeded the old (frequently as the result of civil war in which one brother subjugated the other) the essential dichotomous arrangement persisted so that the resultant single unit had two distinct halves, each with its own head with his villages and headmen. In any case, whether traditional bifurcation occurred or not, and right down to modern times, new villages have been established at the time of the "coming-out" of the new chief. The basic village system showed greater persistence and conformed truer to type than did the chiefdom and the wider political system.

The real authority of a Nyakyusa chief was not in general very great, although individuals here and there achieved personal importance. A chief was accorded a great deal of prestige and honour, and by tribute and gifts he frequently became pre-eminently wealthy. He was supposed to be kept informed by his headmen of all important village affairs and to approve all matters concerning the land, but the village headman was in fact the real land authority, who attended to the details of land allocation and land use within his village. A chief could not do this, and in fact only in so far as he had the support and loyalty of his headmen had he any authority at all. "A chief is a chief because he has headmen," one informant put it to me – he was a prominent chief himself. A villager said: "A chief does not own the chiefdom, or the land. We, the people together, own it." A chief could, without notice or advice, take any unoccupied land for the use of himself or of his kinsmen, but he could not alienate it to others. Both headmen and villagers would have indignantly and successfully protested had he tried, as some occasionally did. Land disputes, an uncommon feature in a country where land was plentiful, were settled by the headmen of the village in question; they were the private affairs of the village and the chief had no right of interference. Inter-village disputes first came before a meeting of the headmen concerned, with perhaps the assistance of the senior headman of the chiefdom. Only if a dispute could not be settled and if it seemed likely to threaten general peace within the chiefdom would the disputants go before the chief himself, who even so relied and had to rely heavily on his headmen to secure a settlement. So delicate was his position that he might be unable to resolve inter-village disputes for fear of [illegible] reprisals against him by the unsuccessful party.

(62) 643 Sometimes a chief who was a powerful personality rode roughshod over his headmen and achieved a measure of autocracy; but most headmen would not allow this and in their opposition they had the full support of their villagers, as well as the moral backing of public opinion. There are remembered cases in pre-European days when a chief was deposed or reduced to a nonentity by his headmen acting together in the face of what they considered to be encroachments on the inviolability of village unity and independence. In any case, however, even the strongest chiefs were little disposed to interfere in the land matters of their villages; few wished to be bothered with the details of land rights. A chief could legitimately complain if he were not kept informed by his headmen, but his approval of their actions – and most especially in land matters – was very largely a formality.

Traditional Land Tenure

[illegible] 423 As already briefly described, a village comes into formal existence at the time of the formation of a new chiefdom. At that time its building site and arable and pastoral areas were roughly demarcated by the retiring headmen of the old chiefdom. Within the village, members were allocated their house plots and each man tended to take the strip of land stretching behind his plot and make his field there. The land was shared out on a friendly, co-operative basis; the new headmen smoothed out any difficulties and settled any disputes. Thus was the pattern of land-holding established. Apart from the relative value of a plot proximate to a man's house, there was little or no cause for dispute as land needs were small and the supply plentiful. An established villager could, without notification or special permission, extend his cultivation to any land which lay vacant – i.e., which was not in use or under fallow by a fellow-villager. There was therefore no need for a man to try at first to grab more land than he immediately required, nor did he need to be jealous of his neighbours' claims.

A villager's rights to the use of his land were quite secure and he had no fear of eviction or of the seizure of part of his holding. It is said that very [423] occasionally a chief might take a man's holding but I think, at least in the Lake Plain, that this must have been most unusual. In fact, of course, so long as a man was allowed to reap his crop there was little value attached to the plot as such when nearly similar ground stood around. Men sought security not on their plots of land, but in their membership of the village community, which assured them of their continuing rights to adequate opportunity for cultivation over the years. However, virtually every man had an excellent security of tenure on his holding during the mature life of his age-village (i.e. until at least the next "coming-out" ceremony), and if he died his heir, should he wish, could come and live in his house and cultivate his fields without hindrance. The way in which he cultivated, though of course strongly conditioned by custom and convention, was his own affair, and he sub-divided his holding amongst his own family as he thought fit. He could not, however, allocate any of his land to a man living in another village, nor could he permit it to be cultivated by such a stranger.

[illegible] Through fear of witchcraft, because of persistent illness, misfortune or unfriendliness, in order to live near a relative or friend, or to inherit elsewhere, a man might leave his village and his age-mates. Then he had to give up his land-holding. When a man moved because of witchcraft or illness (much the same thing and a chief cause of movement) his land was normally left idle [61] pending his hoped-for return, and his former neighbours would do all they could to induce him to return to his old home and fields – even to the use of [612] force (see Wilson, G. 1938, pp. 32-3). His departure was an accusation against them, and a disturbance of co-operative unity. If the man consistently refused to return, or if it was known that he had definitely left for good, his land automatically reverted to the common pool. An established villager might decide to use part of it perhaps, but not before prudently gaining the approval of the headman, lest the migrant return later and accuse him of unlawful and unfriendly seizure. If the headman agreed, as he would after a time in most cases, the newly acquired plot became part of that villager's holding with as secure a title as the rest. Such vacated land could also be allocated by the headman to a newcomer or, before the sons' village was established, to the son of a villager. 493 [226]

If a man had more land than he could cultivate – because, for example, his sons had left him to cultivate in their own villages, or his wife had died – he was under no essential obligation to give up any part. The headman might, if the need arose, try to persuade him to release a portion in order to make it available to someone in need; but the land-holder could refuse and the headman had to accept his refusal. As a chief depended on the support of his headmen, so did a headman's position ultimately depend upon at least the passive support of his villagers, from whose ranks he was chosen.

At the next "coming-out" ceremony the men of a village of the old chiefdom might be required to move aside in order to allow the young men, their sons, to take up the better building sites and farming land. This they traditionally did voluntarily and they built new homesteads on one side and cleared new arable plots. Once re-established in this manner, these older men would not be disturbed again and they remained secure in their new holdings. How often in fact such a displacement took place I cannot say, but it certainly seems to have occurred sometimes, for one can still trace old village sites which appear to bear out the common Nyakyusa story. [561]

In all this it must be remembered that the spirit of village unity and conviviality was held in far higher esteem than land in such a fertile country where land was plentiful and subsistence farming required but small-sized holdings. Security of tenure and defined rights to particular plots are notions belonging to a different situation and age, when land begins to be scarce and to have an economic value, and when there is danger of men not being able to obtain as much as they need roughly where they need it. [221]

Newcomers were invariably welcomed to a village: they were supplied with a house site and an arable holding and were assisted with food until the first harvest. They were an addition to the numerical size and physical strength of the village, and they increased a headman's prestige. Their rights were no less assured than those of founder-members of the village, although their social position was less secure, at least at first, for they had not shared in the history of the community and had not grown up with the ties of village association and comradeship amounting almost to kinship. [186] [604]

Traditional rights in trees may be mentioned briefly. Trees were inherited without difficulty along with the land on which they stood, and a brother or son would commonly inherit the deceased's valuable trees without bothering to take the arable land around. If a man left his village and thus forfeited his land there, the position was different. Banana trees went with the land and a new occupant simply took them over; bananas are of no great value as they grow so readily and ubiquitously. Bamboos are more valuable (being used extensively in house-building) and any left behind in this way could be claimed in the first instance not by the village but by the chief. If the chief wanted them they became his property, or he could grant them to any man he favoured. Usually a chief was content to leave them; then the local kinsmen of the departed man had first claim, and if they had no use for them, or if no kinsmen were resident in the village, they became village property to be allocated by the headman. [illegible] trees[1] were regarded as [428] [342]

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[1] [illegible]

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plots of maize, squashes, tobacco, etc., and useful trees (bamboo, citrus, mango, kapok, eucalyptus and firewood). Artificial drainage would, of course, make more land available along the rivers, but this is in general beyond the abilities and resources of the Nyakyusa without considerable outside assistance.

Finally, in this matter it is to be remembered that in addition to a man's arable holding, each of his wives has a banana plot at her house from which she obtains her staple foodstuff. Such plots amount to perhaps about a tenth of an acre on the average. On the other hand, the Nyakyusa are no longer prepared to tolerate a predominantly banana diet. Rice has, in most areas of the Lake Plains, become almost as important as bananas. [123] [262]

Large-sized Holdings

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Some blame for this novel shortage of land and the smallness of the average holding has often been laid upon that minority of Nyakyusa who have exceptionally large holdings, and also upon the immigrants from beyond the Lake Plains who have come to settle there during the past decade. [67]

The occupiers of large-sized holdings are rather fewer than has sometimes been supposed. The notoriety of large land-owners, such as some of the modern chiefs with as much as 25-30 acres, has brought more attention to them than is really warranted. Most chiefs and village headmen have arable holdings of above average size, as a result of their privileged positions in the land allocation system and because of their prestige influence; but they remain a small minority and their number is bound to decrease in the future as inheritance causes sub-division of their holdings, for most of them have also more than the average number of wives and sons. In the two high-density regions it is clearly impossible for any man much to increase his present holding. As will be shown later (see page 24) the modern trend is not unnaturally towards a dangerous fragmentation of holdings. [43] [22]

The data obtained in this matter for my eight village samples are summarised in Table III, page 13. In those villages the two men out of 372 who held more than ten acres were a village headman and the father of a chief.[6] There were seven other headmen and one chief as well as some other locally influential men amongst the people covered by my surveys, but none of them held more than ten acres. There are, of course, some commoners amongst the large land-holders; many of them are close relatives of the chief or headman and have thus received preferential treatment. Some, however, are ordinary villagers who were perspicacious enough to see future trends and to obtain land in the early days before most men realised its new value and when vacant areas were still easily available. Such men are tending to become a new, wealthy class, but on the other hand they are particularly susceptible to the begging of kinsmen and friends who have insufficient land. If they are not to be regarded as unrighteously or even anti-social (perhaps practising witchcraft) they are virtually compelled to be generous sometimes, both with their land and with their profits. [163]

On the whole this minority of men excites little attention or jealousy among the Nyakyusa, who indeed take it for granted that their chiefs and headmen will have more land than ordinary villagers, as befits their status and prestige. If it be thought that by reducing somehow the size and number of these unusually large holdings then the land shortage might be partly relieved, it is a false hope. I scarcely think that the Nyakyusa would welcome any such attempt at interference by administrative action, but in any case it would only provide minor and temporary relief here and there and would not be worth the executive difficulties involved. [554] [411]

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[6] [illegible]

The Problem of Immigrant Land-holders

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Undue importance has also been given to immigrants, but their numbers are relatively small and only significant locally. Since about 1948, or a little earlier, there has been an influx of Africans into the Lake Plains – Nyakyusa from the Highlands (chiefly from the Central Region – Pakati), Ndali from the Ndali Highlands of Rungwe District and Kinga from the Njombe District to the east beyond the Livingstones; from northern Nyasaland have come Ndali, Lambia and Sukwa, and there are also small numbers of Bemba and others from Northern Rhodesia. They have been attracted in the modern era, when local movement is easier, by the possibility of obtaining land in the northern Lake Plains, where rainfall is so high and uncultivated bushland has been available.[1]

[34] These immigrants have been and continue to be almost entirely restricted to the north in the "low-density region" (see map, facing page 17). This contained the outstandingly empty area of the country and still there remain vacant lands to be taken up. Such land is usually of relatively inferior quality, easily subject to erosion and loss of fertility on the slopes of the foothills and unsuitable for paddy cultivation except in small, isolated basins. The immigrants, that is, have settled in areas rejected by most Nyakyusa. There, locally, the newcomers outnumber the indigenous population. In the flood plains, the high-density regions, the proportion of foreigners cannot be more than one or two per cent. of the population, and in most villages there are none at all.

[41] It is true that these newcomers do occupy land which might well be used to relieve the congestion nearer to the Lake; but in practice this would not be at all easy. To take a single example: the newly opened area in the north of the chiefdom of Mwakyusa between the Kiwira and Songwe rivers is being rapidly taken up by Ndali from the north-west, Nyasalanders and Nyakyusa from the Central Region (in that order of numerical importance). A few miles to the south, in the centre of the same chiefdom, the inhabitants of the Ikolo area consistently refuse to move although they manifestly cannot meet their land needs within their present villages. They, and others like them, say with some truth that paddy cultivation is less easy and less profitable in these newer and higher areas, and that poor communications make the disposal of produce more difficult. They also say, but more often leave to inference, that they are unwilling to leave their traditional village areas and begin in new parts, even though the move required is only one of a few miles. They have not yet become sufficiently aware of the permanent gravity of modern land shortage to overcome their parochial inertia. By the time they do become aware of it the opportunity may well be lost, for immigrants continue to arrive in twos and threes, and the last vacant land may be taken. To date, however, some vacant lands remain, albeit of poor quality, into which the densely packed Nyakyusa could move, and the immigrants cannot be blamed, at least not yet, for preventing the expansion and resettlement of the local population.

At the moment the chiefs and headmen in these northerly areas are keen to obtain as many of these immigrants as possible in order to swell the number of their commoners, the size of their villages and thus, directly, their own prestige and importance. Newcomers have every opportunity to be allocated as much land as they wish, where they wish, and many are liberally assisted with food in the traditional way until they harvest their first crop. I heard no complaints from either the local Nyakyusa or the immigrants, and relations seemed to be good. Strangers must conform to Nyakyusa ways of life and to the authority of the headman and chief, although

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[1] [illegible]

167 423 [illegible] [illegible] [illegible] 556 [illegible]

in fact they usually settle on the common East African pattern of scattered homesteads, each in its arable area, and not in the tight Nyakyusa village pattern.

I think that the headmen and chiefs concerned would not welcome a restraint on immigration, for it offers them a chance to emulate the numerically produced prestige of their fellows in the flood plains, to whom at the moment they feel inferior. They would, of course, most probably prefer indigenous Nyakyusa, could the latter be persuaded to settle there. As it is, at least some of the Nyakyusa of these northerly villages are trying to move into the flood plains, where they can more easily cultivate paddy and where they can join in a more active and ebullient village life.

423 601 [illegible]

One type of foreigner to the Lake Plains is the man (almost invariably a Nyakyusa from the Highlands) who has obtained land but does not settle on it nor in any village. He continues to live in his upland village and comes down to the plains only to cultivate and harvest his paddy field. This is strictly against Nyakyusa land law and custom and, in fact, such an absentee land-holder has often made a substantial monetary gift to the chief or headman for the protection of this extra-legal privilege. These strangers are frequently among the more wealthy upland Nyakyusa, who can afford such payments as these, and often they are of chiefly rank themselves, perhaps having kinship ties with the local chief. There are probably no chiefdoms where such strangers have not obtained paddy fields, though naturally those which contained a good deal of vacant, usable paddy land at the beginning of the cash-cropping era have most.

[illegible] [illegible]

This does arouse a certain amount of ill-feeling and opposition amongst local villagers who have insufficient land themselves, for they lose land and gain no numerical strength or profit of any kind. The illegal action of the local chief is also condemned, especially as the chiefs should not in any case assume alienatory powers. On the other hand it must be noted that the commoners philosophically accept the supposedly protected prerogatives of their chiefs under European rule and they expect the chiefs to take advantage of them. As with the case of the minority of large land-holders, the actual effect is not particularly great and reformation here would be a minor palliative. Nevertheless in this matter there is a definite and unpopular infringement of villagers' rights and of the local customary law.

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One other group of strangers may be noted for the sake of completeness. That is the Kisi, who have for at least two generations been settling along the lake shore itself from Mwaya in the east to the Songwe river (and beyond) in the south-west. They have come from the north-eastern shores of the lake and in the Nyakyusa area they are principally fishermen who do not, therefore, compete with the indigenous population economically. They cultivate only tiny plots of cassava and sometimes of finger millet, although a few of the younger generation are now trying to grow a little paddy also. The total number of Kisi involved cannot be more than a few hundred and they have probably not increased much over the past decades. They follow an almost separate existence from their Nyakyusa neighbours, not intermarrying, and following their own way of life.[illegible]

[illegible] [167]

brothers, and this is compelling the increasing and continued fragmentation 578
of holdings at time of inheritance. Even so, if there are several brothers (i.e., 423
sons of the deceased) the youngest among them may still be unable to obtain 428
a plot, or at least not one of an economically viable size, and they are then [596]
compelled to try to gain admittance to some other village as newcomers, there to be allocated land.

The shortage of land is, therefore, not only making inheritance very considerably more important, but it is assisting in the establishment of [178] new kinship attitudes and a redefining of fraternal relations. The position is quite confused at the moment as the old system continues to exist alongside the new, sometimes more or less successfully, but often in intractable opposition. At the present time the observer can only mention general tendencies, for it is impossible as yet to foresee what the eventual result will be, and there are, in any case, many other factors involved besides those of the inheritance of scarce land.

In so far as we are primarily concerned with land problems in this essay, the basic factors are that land is newly scarce, that there is virtually no [311] alternative activity in the country to the arable use of the land, and that therefore each son must try to obtain a share in the often inadequate holding of his father. I suggest that no form of inheritance can deal with such a situation satisfactorily – at least it is highly doubtful if any has yet emerged in an area of land shortage in Eastern Africa – and that there are bound to be severe difficulties and a deterioration of inter-personal relations between near kinsmen who are most in competition. The new inheritance law of the [578] Nyakyusa has narrowed the range of potential conflict from the patrilineal descendants of a grandfather to the sons of a single father; but if it has obviated possible hostility between the generations and between paternal cousins, it has also removed much of the common interest and mutual interdependence between them.

The Right to Land, and the Authority of the Village Headman

Although the traditional principle still exists that every villager has a 622
right to arable land within the village boundaries, yet it is no longer possible 311
to carry it out in practice. Every village headman, in my experience, attempts 423
to ensure that each of his men has land, but he cannot always succeed, and most especially he cannot provide every one with as much land as he would like, because of sheer spatial limitation.

Nowhere any longer does the old principle now hold that an established villager may, without permission or notification, take vacant land into cultivation as part of his holding. When land becomes vacant it must now revert immediately to the village as a group, that is to the common pool from which the headman as village authority makes allocations. There are so many and such varied demands for land nowadays that no man acting on his own can presume to take up vacant land, and only the headman may decide allocation. No person can now obtain land, whether he be an established villager or not, unless he is allocated it by the headman – or, in the many large villages typical of the Lake Plains, by the headman's assistant, [624] *[illegible]*, who is delegated authority in a section of the village.

Land becomes vacant when a man shifts to another village, when a man dies and leaves no active heir who desires to take up the deceased's holding, or (less seldom today) when a man gives up part of his holding due to his inability to use the whole of it. In all these cases the land is immediately re-allocated by the headman, probably not as a single unit any longer, so that he can satisfy a number of land-hungry villagers – established men seeking extra land to meet the needs of growing families or for increasing cash-crop

622 production, young men seeking their own independent holding, and newcomers to the villages who seek to settle there.

311 423 The modern shortage of land has therefore considerably increased the authority and the activities of the village headman. Nowadays he is the prime mover in all changes in land-holding, other than by inheritance or temporary loans and gifts. In these latter, and particularly in inheritance, he has necessarily become an important interested party whose influence cannot be ignored, whose approval is desired and whose assistance is frequently sought both as arbiter and witness. Much more than before, and directly because of the scarcity and value of land today, he is the principal controller and allocator of land – though, of course, he remains subject to the state of public feeling and the opinions of his villagers. His position has been further strengthened by his status at the base of the administrative hierarchy in modern local government, whereby he is given executive responsibility for his village and its people. As always, disputes over land are taken before him in the first instance and here he acts not only as a judge but also as the expositor of village opinion and public knowledge. Such disputes are increasing in number, giving him more work and responsibility and also more opportunity for the expression of his status. Meanwhile his traditionally crucial ritual and magical (anti-witchcraft) powers continue, though now in somewhat attenuated form.

Fragmentation and Dispersion of Holdings

423 428 311 It has been shown how the inheritance of land, now of increasing importance, results normally in the splitting up of a man's holding.[1] Whether a young man obtains an inherited share of his father's land or he obtains an allocation in another village, its size is likely to be small – smaller than the holdings of his father's generation. Tiny, uneconomic plots are to be seen everywhere in the flood plains.

At the same time a man's holding is tending to comprise a scattered, heterogeneous collection of small plots, as he has obtained land when and where he could. An actual example will illustrate this: a young man had [541] about a tenth of an acre behind his house on which he was growing maize and beans; he had about a quarter of an acre which was his share of his deceased father's land, and another quarter of an acre which had been [543] allocated to him by the headman when a vacated holding was split up, and on both of these he cultivated paddy. This man had only small hope of obtaining more land, unless one of his brothers died without sons, for he had already been refused by the headman a share in a recently vacated holding on the grounds that, unlike many of his contemporaries, he already had at least some arable land.

Even amongst older men the holding of scattered plots is common. This is partly the result of the earlier expansion of cultivation when the formerly unused lands were put under paddy, and partly because older men too, lose no opportunity, in the face of scarcity, to take up any land they can. The Nyakyusa ideal is to have a single large holding, preferably stretching away behind the homestead – or alternatively two fields, one for paddy out in the open plains and one for food crops nearer home. This ideal becomes less and less practicable. There seems to be little or no need for this scatter of plots on account of soil and fertility differences, for these are generally few and unimportant within the area of a single village.

311 423 In my sample villages the average number of separate plots was about three per holding. There was a notable difference between villages in relation to the average size of villagers' holdings. Where land was more plentiful the

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[1] [illegible]

number of separate plots per holding was less than where land was scarcer; 311
at the same time the average size of separate plots was smaller in those more 423
land-hungry villages. The reader may refer to Table III (page 13) for some illustrative figures. Though differences are not yet very great, nevertheless there seems to be a fairly clear correlation between the average size of villagers' holdings on the one hand, and on the other the number and size of separate plots, and this is entirely borne out by my general information obtained in villages where actual measurements were not made. The inescapable conclusion must be that increasing scarcity of land in the Lake Plains leads to increasing fragmentation and dispersion of holdings; further, the present land situation and land tenure system can only lead to a continuation of this trend.

To emphasise the actual situation in 1955, let me reiterate the results of my own village surveys in the very high density region. In a village in Kasumo's chiefdom only a quarter of the younger men had paddy land of their own, holdings averaging about three-quarters of an acre; in a village in Mwakipesile's chiefdom, only 17 per cent. of the younger men had paddy land and holdings averaged about half an acre (cf. Table VII, page 37). These two examples are taken from the areas of most severe land shortage and are not therefore altogether typical of the whole Lake Plains. Nevertheless, I do not think that they are entirely atypical; more importantly, they indicate the present trend. Within another generation this fragmentation and scatter of holdings may well be the common feature everywhere in the flood plains unless the system of tenure and inheritance is modified. If the increase in population is quickened through improved medical facilities, better diet and housing, and improved conditions generally, then the position will become more acute. Such an increase is only to be expected. The Nyakyusa have [433]
decisively entered a money economy and they have learnt to seek higher standards of living. Only from their fields, by cash-cropping, can they expect to earn their livings and the demand for better living will not be [511]
curtailed – nor, of course, is it desirable that it should be.

There is another aspect of this whole matter which must be considered. It relates to the movement of individuals between villages. Such movement [166]
was, in earlier European days, a crucial factor in the age-village structure, for it was not only exceedingly frequent, but also it tended to undermine the idealised central basis of village life. Movement between villages is increasingly difficult now, for a newcomer naturally cannot easily obtain land, nor as much land as he would desire even at a moderate demand. Nevertheless, [954]
the reasons for movement persist, and they will do so whilst the fear of witchcraft remains and whilst illness and misfortune are attributable to the [953]
unfavourable aura of a place. There remains also the tradition of moving so that a man may escape from bad relations with kinsfolk or neighbours, [624]
or from the obloquy resulting from his own disapproved actions. Much social and psychological tension is being created now as a result of the new [152]
difficulty of movement, and so far the Nyakyusa have not evolved alternative methods. [575]

On the other hand, so deeply engrained is the notion of the prestige and power which accrues to a village by virtue of the number of its inhabitants, [554]
that headmen and villagers alike remain most reluctant to refuse to accept newcomers, even when it inevitably means that the present inhabitants must [209]
meet a further decrease in the average amount of land available per family, [622]
for a newcomer must be allocated a holding if he is to remain. Consequently, if a holding is for any reason left vacant, a headman tends to refuse to re-allocate some or all of it amongst his villagers and thus to augment their holdings; but instead he keeps it in reserve pending the hoped-for arrival of another newcomer. Men desiring to leave their own village try to get

311 423 [554] [591] [622] news of such reserved land elsewhere. Such land is cultivated in the meantime on a kind of year-to-year lease by one or more of the villagers as allowed by the headman.

Even when no vacant plots exist a headman will still accept newcomers. If they are young men they must be prepared to go landless for the time being (i.e., to remain dependent on their father's fields elsewhere) until such time as land becomes vacant. If the newcomer is an older man, then the headman will try to persuade one or more of his villagers to give up portions of their holdings and he will often cede part of his own land. The newcomer is therefore often allocated small strips and plots here and there in the village arable area and he thereafter joins the land-hungry crowd seeking to expand their holdings. In one village in which I worked where land shortage was critical (Kapugi, Kororo's chiefdom), there was not a single patch of arable land unworked; yet here the headman had, with full village approval, accepted three newcomers during the first nine months of 1955. Two of them were young men, one unmarried, and they could not expect to obtain land for some time except for a small banana plot. The third newcomer was a middle-aged man from a village some 12 miles away in another chiefdom. The headman had given him a half-acre plot out of his own paddy field and was laboriously begging pieces of land here and there from his people in order to make up a new holding of perhaps an acre. The headman himself had only about three and a half acres of arable land; he had at least one adult son who had not yet acquired an arable plot and he had other sons and brothers' sons owning only small fields. Yet he favoured this stranger, this newcomer. He was quite firm in his resolution to accept other newcomers in the future and in this he believed that he was acting as a good headman should. As far as I could learn he was supported by his villagers. [591]

This is not, by any means, an isolated or even unusual phenomenon. It is, I feel, important to bear in mind this illustration of contemporary affairs. Firstly, because it shows another way in which holdings are fragmented and dispersed; and secondly, because it demonstrates how, so far, the Nyakyusa have refused to face the situation of land shortage, and how they continue to follow traditional practices and values associated with village prestige. These people complain of their inability to obtain sufficient arable land, but they are not yet prepared to make the mental and social adjustments which might at least partly relieve their new predicament. On the other hand, they themselves understand the need for movement and perhaps they are right in their implied insistence not to discard their cultural ideals. Their insistence *on accepting newcomers and their willingness (however dimly perceived and expressed) to share their land with the landless are not discreditable attitudes*, even if they are economically untenable.

Security of Tenure and Disputes over Land

As already noted, under traditional land tenure a Nyakyusa had good security in his holding so long as he continued to live in the same village. [561] The only alteration of tenure occurred at the "coming-out" ceremony of a new chief when the older men would, if required, move aside in order to give their sons' generation the best land. This did not invariably happen in any case. Fundamentally, however, security of tenure is not a matter of great importance to a people who have plenty of land, and land which is more or less of the same quality. Indeed, convenience of location in respect of one's own homestead was almost the only value land had as such. Occasionally a more dominant chief might try to seize a commoner's field [661] to allow of his own expanded cultivation; it was most unusual for him to [665] succeed, and even if he did the dispossessed villager suffered little real deprivation, for he could easily obtain another field fairly near at hand.

Security of tenure has continued into European times, and although perhaps weakened slightly in one way through the exaggerated powers which accrue to modern Government-supported chiefs, it has been strengthened by the modern peace and rule of law and the more efficient system of justice provided by the established local courts. According to G. Wilson (Wilson, G., 1938, p. 22) the increase in the movement of individuals between villages in earlier European times (i.e., up to about 1940-45) directly caused a lack of attachment to individual plots, and thus security of tenure was not considered particularly important. 311 [423] [162] [14]

The new situation of land shortage does not affect the basic position, or rather, by producing a high scarcity value on land, it has brought about an intensification of individuals' rights over their holdings. No longer dare a chief or headman attempt to commit such illegal acts as the seizure of a villager's field, so long as that villager is not afraid to publicise the affair. A man is not, and cannot afford to be, prepared to lose his field, for he cannot replace it with any certainty, either in a convenient location or elsewhere. A headman may sometimes bring strong pressure to bear on some of the men of his village to try to persuade them to give up portions of their land to assist a newcomer or a landless neighbour, but a villager can and does refuse and there is no legal authority which can override him here. As the land shortage becomes more obvious and more acute so men become less willing to allow their holdings to be touched for any reason, by anyone. The re-allocation at a "coming-out" ceremony appears to have been dropped nowadays and thus a man holds his land undisturbed until his death, when it passes by inheritance to his sons. There are cases now where grandsons of the original holder occupy land through undisturbed and undisputed inheritance. A man can, as he wishes, loan a kinsman or friend a plot in his holding, or he can make an outright gift. The principal restriction which remains is that a man must continue to live in the village in order to retain these rights; he must relinquish them if he permanently goes to live elsewhere. Nevertheless, the land of a well-established villager would be kept for him pending his hoped-for return, for if he has left in umbrage and fear because of suspected witchcraft, then he may be persuaded to come back after a time. The headman and his neighbours should in fact persist in their attempts to persuade him, even to the use of force, for this is not only a moral duty of age-mates and fellow-villagers but is also an effort to remove the implications of their alleged witchcraft and anti-social conduct. [illegible] [illegible] [312] [622] [764]

Once, therefore, a man obtains land he has absolute rights in it during his continued residence in the village. Apparently today, under more [illegible] [illegible] shift their homes and almost all land is now held on a tenure which will be passed on by inheritance.

423

Boundary disputes are few. Usually, and increasingly, village boundaries are well known, and field boundaries invariably are.[1] During my field measurements in the sample villages, I never had any difficulty with my local assistants in quickly establishing the ownership and exact limits of any plot. Boundaries are usually marked by small ridges of accumulated debris or by narrow paths, and these form an intricate and irregular network throughout a village's arable area. They are so well known that there is very little scope for a greedy man to attempt to encroach on a neighbour's holding at hoeing time. If minor disagreements do arise at that season they can be immediately settled – by appeal to neighbours working nearby if necessary – and the headman or his assistant may well not be called in at all. [629]

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[1] This is the case in the Lake Plain. [illegible]

423 Thus beyond the established fields in the vicinity of the village itself, the pattern of land holding tended to become confused. The majority of land-holders were still members of the village who were expanding their cultivation outwards, but there was a considerable number of men from neighbouring villages, and even from farther afield where opportunities were more restricted. Some men even began to live a second house, inhabited by a junior wife, in another village from which to continue the more easily the cultivation of new holdings. 591

This sort of development was in the event only a short-term process and, had pressure of population on the land not become so critical, it is not possible to say what would have been the final result upon Nyakyusa social and village organization. It is, nevertheless, important to note that in the beginning of the expansion of arable holdings, cash-crop cultivation operated in a system in which village exclusiveness was breaking down, when residence was no longer an essential prerequisite of land-holding, and when men were neighbours in the fields as farmers without being members of a single village.

Once the Nyakyusa, and particularly the more perceptive headmen, began to realise that land was becoming less plentiful, indeed that it was beginning to be scarce in relation to new demands, this novel tendency was stopped fairly quickly and the old traditional principle of land-holding only by residents was reasserted. In the more recent years this has been strongly insisted on. Headmen and their villagers saw that in order to safeguard their E.22 own rights they must prevent scarce, valuable land being held and used by outsiders. This reaction appears to have been universal and automatic among 596 the Nyakyusa. There was now insufficient land for everyone's demands and each village therefore looked after what it considered to be its own interests. Outsiders who already held fields could not be deprived of them, but they were not allowed to extend their holdings and any opportunity was, and still is, taken to regain control of their fields for allocation to villagers proper. Inheritance was often disallowed unless the heir agreed to come and live permanently in the village; gifts or loans to outsiders (kin or friends) were no longer permitted and most headmen seized the opportunity to re-allocate to their own villagers any alien-held lots which were not continuously maintained in cultivation.

In response to the new situation, almost everywhere village boundaries were clearly demarcated – not without a certain amount of dispute and a new recognition of inter-village opposition. Nowhere now is it possible for a man to take up land over which there is no firmly established village ownership. The significant principle has now emerged that not only does a village, as a corporate and distinct group, own its own land and is represented in this by its headman, but all land is now owned by some village. Further, at least in the high-density regions, there is no longer any vacant land to be taken up E.23 and any land temporarily falling vacant comes immediately under the allocating authority of the headman.

This process, the application of this principle, is not yet quite universal 427 in the Lake Plains, and it is sometimes still possible to see it coming into operation. Still in the northerly parts of the Lake Plains – the low-density 78 region – one may see fields occupied by a variety of outsiders, for there the realisation of the significance of land shortage has been slower to come. For example, in Mwakipembe's chiefdom in the late 1940s and early 1950s it was the practice of men from the congested villages nearer the Lake to obtain valuable, virgin paddy land in the newly opened areas in the north (near Ipinda) without residential qualifications. Many men reserved their original holdings in their own villages for food crops and had their main paddy fields in this distant area. By 1955, however, it had become virtually impossible for a non-resident to obtain more land in this way, although still

311 my earlier labour migration enquiries in the Highlands, the village as a close residential unit is breaking up as the people are increasingly adopting the
433 more common East African pattern of each family building its own home-
845 stead in its own land-holding. These northern Nyakyusa say that they must have their coffee plots next to their homesteads for the sake of continuous supervision, and that this is impossible (which is true enough) where men live close together in compact villages. Again, coffee plots, with their standing, permanent trees, have become a valuable item of inheritance; sons lose no opportunity of taking them irrespective of the locations of their coevals or of the identity of their immediate neighbours. The values of land, cash-crops and material progress are placed much higher than the traditional values of coevality; indeed, such traditional values are largely inconsistent with modern wants and aspirations.

621 Thus the Nyakyusa age-village has become almost obsolete and it
361 would seem that it must inevitably vanish altogether even in the remaining conservative areas (e.g., in the east). Furthermore, its disappearance is
178 leading to a distinct divergence between the Lake Plains Nyakyusa and those of the Highlands. How far this divergence will become permanent and basically significant cannot be foreseen as yet in this early stage. Clearly the compact village is best fitted to an arable economy of rice cultivation in the Lake Plains, and at least until there is further agricultural change it will persist as a most important social group.

Nevertheless, with its enhanced exclusiveness and relative social isolation and with renewed rivalry with its neighbours, the Lake Plains village is scarcely conducive to the encouragement of agricultural and economic development. Neither is it anything but harmful towards contemporary efforts in the politico-administrative sphere to reduce parochialism and to foster a sense of unity and co-operation beyond the village and the petty traditional chiefdoms. While supervisory control of the land through the
629 headman is in general excellent, reasonable and readily understandable
152 to the people, yet the excess of restrictiveness, the competitive scrambling for vacated holdings and the jealous fears are surely more than merely
182 unfortunate. There needs to be some modification to loosen the over-tight strings of village corporate ownership, to regularize the transfer of vacated holdings and to lessen the fears of village against village. These points are taken up again in Chapter V.

Cattle and Pastoral Requirements

311 Unfortunately, no great accuracy can be presumed for the Rungwe
233 District cattle censuses, but the available figures are summarized in Table VI.

TABLE VI
NYAKYUSA CATTLE

	[illegible]				[illegible]	
	No. of cattle	Acres per head	Cattle per person	Cattle per family	No. of cattle	Acres per head
Lake Plains	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Central Region	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
N.E. Highlands	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
N.W. Highlands	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]
Total: Nyakyusa	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]	[illegible]

The indicated increase in the numbers of cattle may well be attributable only to improved census enumeration by the Veterinary Department.

Although 4.4 acres per head of cattle for all Nyakyusa country, and even 4.1 acres in the Lake Plains, might seem to be adequate in a country so well covered with vegetation and with so reliable and plentiful a rainfall, yet, of course, the actual pasturage available is very considerably less as so much of the land is taken for arable and building purposes. There is in practice a most acute shortage of grazing land everywhere, except in certain parts of the north-west Highlands (Ukukwe). This shortage is most critical during the wet season, for at other times of the year the herds are able to graze over the arable fields, where herbage grows exceptionally rapidly after harvest as a result of the high rainfall. 311 233 [132]

Traditionally, each village had a roughly demarcated area of common pasturage which was not, and could not be, used for arable purposes. With the increased demand for arable land, this commonage has almost everywhere in the Lake Plains been gradually whittled away for permanent arable holdings. Headmen who control these pastures, and many of their elders too, are much worried about this process, about the break with tradition and the modern pastoral difficulties; but arable needs are given priority over grazing and the practice continues. [illegible] [43] In the flood plains, the higher-density regions, common pasturage has by now almost disappeared altogether. The little which remains is largely unusable for cultivation, consisting of infertile or badly drained areas – often the sandy, coastal strips covered with dense thicket and tall sedges which provide very little useful grazing. During the dry season, after the paddy harvest, the situation is fair, but during the cultivation season pasturage is entirely inadequate, and in addition the cattle are compelled to live and graze in extremely arduous conditions of standing water, mud, mosquitoes and flies. They do not obtain enough food then and they lose condition badly. There are many deaths from malnutrition, near-starvation and disease, and this affects the immature stock particularly. Only by continuous tenacity on the part of both man and beast can the herds be retained at all. There is no tradition of stall-feeding and so far the Nyakyusa have refused to adopt this measure of alleviation.

Yet, as the Nyakyusa are quick to point out, each family has only a few cattle. Most families have a cow or two, and the average is only about two to three head per family – *cf.* Table VI, page 28. Owners of large herds are relatively few, and herds of more than ten cattle in a single family are very uncommon. Although the cattle population is too great for the pasture resources now available, yet the animals are fairly evenly and thinly distributed amongst the dense human population. Goats and sheep are few – almost nil altogether – in the Lake Plains and of no significance. It is important to note that here we do not have a situation of large herds which might be reduced by some form of culling.

Cattle are held in high esteem by all Nyakyusa as a source of valued milk for the daily diet, as the means to marriage (in bridewealth), as a store of capital, as a symbol of prestige and as an essential element in important ceremonial activity. [illegible] This kind of value system needs no emphasis here as it is common to much of Eastern Africa, but it may be noted that one of the principle uses of the large sums of money saved from wages in mining employment (labour migration)[1] and from the profits of cash-cropping at home is in the purchase of cattle. [illegible] It is thought that money is best invested, spent and used in that way, once immediate material needs have been met.

Even with the high proportion of deaths from disease and the appalling conditions of the wet season, there are indications that the numbers of cattle are not decreasing and there may well be local increases. Apart from natural increase, there is fairly heavy buying from the Ndali people to the north-west in Rungwe District, and also from farther afield in Northern Nyasaland and in Nyamwanga and Fipa tribal areas (about Mbozi). [illegible]

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[1] [illegible]

had authority to claim, or how far the Central Government was permitting 643
or even compelling him to use new powers. Part of this novel power has, not unnaturally, been used to take over land-control responsibilities to which the chief has no traditional tribal right, and it has led to the claims, sometimes [423]
heard in the Courts and upheld in the District Commissioner's Appeal Court, that chiefs are the sole, traditional and rightful land authorities. It has led to chiefs assuming, or trying to assume, land allocation and supervisory powers which hitherto were the clear right only of the village headmen.

Thus some chiefs have declared that they alone, or at least primarily, have allocatory powers over formerly unutilised tracts which are relatively distant from the villages and which have now become valuable as paddy fields. Others have come to claim rights of interference in village land affairs, even within the long-established village areas. By the continued threat of their alleged Government support, by taking advantage of new conditions, they have not infrequently "got away with it". They have insisted that their [423]
own nominees be allocated vacant holdings; they have gone over the heads of [333]
village headmen and made public their opinions as to who, amongst numbers of applicants, should receive land in villages; they have insisted that headmen should consult them on the details of allocation. The desire for power and further prestige is one impulse behind this development. Sometimes the chiefs, better educated than many of their headmen, are able to understand the modern land situation better and are impatient of their headmen's conservatism and procrastination. Another factor is the potential profit which may accrue as land becomes scarce and thus a valuable commodity, and this became particularly important when the rush developed to take up the formerly vacant lands for paddy cultivation. Gifts in money and kind became common in return for preferential treatment for the donors. These [423]
lands are now all allocated and held by commoners, but the chiefs have been reluctant to relinquish their new-found authority.

These remarks do not apply to all the chiefs: some have been sensible enough to use their influence through the traditional system by judicious co-operation with their headmen. Some, too, have been too unperceptive to bother to take action at all. Again, some have been forestalled by strong village headmen who would not allow any diminution of their own status [72]
and rights. In some of the formerly vacant lands where no headman could reasonably claim traditional jurisdiction, the operations of the chiefs have probably been beneficial in reducing chaotic land-grabbing and jealous rivalry; once, however, these lands are brought under cultivation there seems to be a good case for their inclusion within the normal Nyakyusa land-control system. The continued existence of a supra-headman authority does not necessarily lead to stability or improved control. Certainly it is not in keeping with the people's values and institutions.

For these changes Government must clearly bear some responsibility [72]
and often also the blame for indirectly causing alterations in native land law [42]
and custom by some administrative attitude or ruling in a related sphere. There has been a good deal of well-intentioned insistence on determining and strengthening the "Local Authority" in tribal areas in the interests of stability and efficiency. In Rungwe District the futile claims of Nyakyusa [641]
chiefs have been only too readily accepted without question. In fact the traditional *mmalafyale*, chief, only represented his chiefdom as a unit, and his lack of real power corresponded to the lack of cohesion within the chiefdom. The notion of a supreme "Local Authority" is largely irrelevant for the Nyakyusa. In a theoretical sense we may perhaps say that the total land of a chiefdom was and is owned by all of the people in that chiefdom - chief, headmen and villagers; and therefore we may perhaps categorize the chief, the single individual representing the group as a whole, as the "land-owner." To

CHAPTER V

CONCLUSIONS AND SUGGESTIONS

Briefly to summarise the contemporary land situation: in the Lake Plains it may be said that in the main the traditional land tenure system and land law still continue as the basis of native land holding today. The essential feature in recent years has been the great land shortage in relation to arable needs under the current system of agriculture. Village unity and village [illegible] have been increased and so also has the authority of the village headman in the control and allocation of land rights. Security of tenure has been strengthened, if anything, and one of the most important methods of obtaining land is now by inheritance. The new law establishing inheritance from father to sons, whilst generally acceptable to the people, is producing a number of civil suits which form the greatest proportion of the more important land cases before the local courts.

The shortage of land is principally the result of increased demands for paddy (i.e. cash crop) cultivation, although the population appears to be increasing slowly. In the high density regions almost all men have considerably less land than they could cultivate, especially under the impetus of the ox-plough, with the developing desire for money income. In the low density region of the low foothills there is still some vacant or partly utilised land, though of very inferior quality for paddy cultivation. The shortage hits the younger men severely, and many of them cannot obtain land at all until the death or senility of their fathers. Fragmentation and dispersion of holdings is rapidly becoming serious and without check.

The first question which arises is whether anything can be done to ease the pressure of population on the country by making more land available, or by making its distribution more equitable.

The thinly populated parts of the northern region of the Lake Plains offer a meagre solution only, for the country is raised above the level of the flood plains and is often broken and hilly. Fertility is low, erosion is a constant danger and the paddy yield (if obtainable at all) is poor. Nyakyusa from the densely populated areas to south and east are therefore most unwilling to move there. In any case the available land, which remains safely and economically open to cultivation, is filling up fairly quickly – mainly by immigration. Certainly I do not think that it can supply sufficient space to meet southern needs. There is, however, no reason why immigrants should make a difficult situation worse, and therefore it is suggested that further immigration from outside the Lake Plains should be carefully controlled if not altogether prevented. Undoubtedly outsiders (almost entirely Nyakyusa from the Highlands) who hold land without permanent residence should be prohibited and their holdings reallocated to local inhabitants.

As I have already indicated (page [illegible]), I do not think that the problem of men who hold unusually large acreages is particularly serious. Such large holdings are relatively few and will be inevitably split up by inheritance on the deaths of the present occupiers.

In the flood plains proper there is, as far as I can assess, extremely little spare land which could be brought under cultivation. Mechanised assistance in the clearance of dense reed thicket[1] and in drainage schemes would produce

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[1] [illegible]

311 423 some more land. How much could be made cultivable is beyond my appraisal, but it would be of valuable local assistance and ought not to be neglected. It does not, on the other hand, appear practicable to decrease further the amount of land used for building and village sites – the people themselves have already done this to some extent, and increased congestion in the villages would probably be undesirable on medical grounds.

There remain the local cases where part or all of a holding is not used (excluding genuine fallowing). An old man, or one who has for some reason lost the labour of his wives or sons, is sometimes unable to cultivate the whole of his fields. This is not common, or if it occurs the occupier is usually approached by his kinsmen, friends and neighbours for a loan or gift. Occasionally such land does remain relatively unutilised and the occupier refuses to release it even at the request of the headman. There is some feeling in the Lake Plains over this matter, and some men have suggested openly that such unused land should compulsorily revert to the village to be re-allocated by the headman.[1] Unless there is overwhelming demand for a new ruling here it would seem not to be a practicable policy and would only weaken security of land-holding and further increase the already over-exaggerated communal claim of the village. It would, of course, be difficult to assess when in fact a man had more land than he could or would cultivate, and it might easily lead to injustice if chiefs or headmen were given powers (however restricted) to interfere in a man's holding. Nevertheless headmen might be encouraged to keep a close watch on unused fields in their villages and to bring pressure to bear either to persuade the occupier to increase his efforts or to make temporary, witnessed loans to a neighbour.

In some cases land is left unused for a period while a man is away from home – usually while he is away at work. Where his absence is brief, little can or needs to be done, and already under Nyakyusa law the headman may authorise another villager to cultivate the fields on a year to year tenure: the absentee re-assuming his holding on return. Occasionally, however, a young man may, for example, inherit land but then leave it for a number of years while he migrates to work in the mines. There is no adequate ruling as to the number of years' absence which should elapse before the absentee forfeits his land as an assumed permanent emigrant from the village. Headmen are reluctant to reallocate unused land for fear of the obvious legal and [illegible] social difficulties should the absentee return, although some headmen are more hasty than others in this matter. Neighbours are often reluctant to borrow the land for fear of losing their opportunity of an outright allocation elsewhere in the village in the meantime. In some cases I saw fields which had lain unused for more than four years for these reasons. Like the unused portions of an old man's holding, these few cases arouse a good deal of land-hungry indignation, beyond their real importance in fact. Nevertheless some limit to the period of absence might well be introduced so that at least headmen know what their authority is in this matter, and so that men not prepared to work the land shall not be able to retain it indefinitely. It may be noted that the average length of absence of men in migratory labour is 18-24 months. A period of three years' continuous absence, at least without special cause, might perhaps be taken to indicate the automatic abdication of right of tenure.

If more land cannot be made available – or only relatively little – the obvious solution is a more intensive and profitable use of the existing resources. The Agricultural Department has long urged this policy and is [illegible] attempting to put it into effect, pointing out the relatively inferior yields of paddy in the Lake Plains because of poor techniques and insufficient effort.

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[1] Significantly enough, one of the men to bring this suggestion to my notice was the Nyakyusa Senior Agricultural Instructor in the Lake Plains.

122 for research. I am very grateful for a grant from the International Institute of African Languages and Cultures[2] which enabled me to start my ethnographical field work among these people. I wish also to express my thanks to the Government of the Tanganyika Territory, the Provincial Commissioner of Mbeya, and the District Officer of Tukuyu for all the courtesy I received during my work.

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123 1. My first step, after my arrival at Katumba near Masoko, was to pay a visit to Mwansasika, the chief *(umalafyale)*[3] of the village and

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The chief Mwansasika with his counsellors.

of those adjacent. On the open place near his hut he welcomed me in company with his *amafumu*[4], the influential men of his villages. My attendant, the interpreter and I were asked to sit on chairs, while the *amafumu* sat down on mats or on large banana leaves on the ground; but the chief remained standing. I explained the aim of my visit, and that I would be very glad of his support. The chief promised it, and he kept his promise excellently. On other occasions the chief also sat [431] on a chair. In the afternoon of the first day I sent to the chief some presents. The following he made a return in form of food. This exchange of gifts is named ukukomola, handing over the gift.

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757 2. In a small village belonging to Mwansasika's chieftainship was the residence of a medicine man, to whom I paid a visit as soon as I could. When I met him he was being consulted by a sick male person who had a stomach complaint *(ugopa)*. After some negotiations he allowed me

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[2] Cf. Africa, Vol. XI, p. 497.

[3] Cf. Wilson, Introduction, p. 282; Land Rights, p. 44.

[4] Cf. Wilson, Land Rights, p. 12. W. translates *amafumu (ubufumu)* by „great commoner". Introduction, p. 276, 282.

13: Lehmann E-5 (1939) 1951:F'RD? Ngonde F'RD?
Nyakyusa

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The chief [illegible] and his family after he had received from me my old "Klepper-Mantle" as a gift.

to enter his hut, where the patient was sitting on the ground with his back to the wall. To heal his patient of the pains, the doctor made some small incisions in his skin near the stomach by means of a triangular-shaped knife, and then he rubbed in the incisions a thick black juice taken from the horn of an antelope (the horn was called [illegible], pl. [illegible]). The juice was prepared from different roots and herbs as a medicine against stomach pains. In the horn were certain divisions for other medicines, and in each of these divisions was stuck a small (black) stick for removing the specific medicine from it. After this treatment the patient declared that he felt severe pains in the region of his stomach. I asked the doctor for some of his medicines, but he was unwilling to give me anything. Then I promised to bring him next day some European medicines hoping to get in exchange some of his medicaments. 123 797 [416, 127]

The following morning I returned. On this occasion I did acquire some of his medicines in exchange for various European tablets, especially as he was most fascinated with the kalium permanganicum, of which I gave him a few crystals, explaining to him the use and the dose; when I dissolved some of the crystals before his eyes, it probably seemed to him to be a mystical process. Among the medicines I received then from him was a medicine for luck, called [illegible]. Some of the inhabitants of the village, who had sometimes appeared, were very unwilling for him to give me this medicine, and maintained that I would take with me all the luck of the village. [177]

On this second visit to the medicine-man, there was again a patient present, and I wanted to take a photograph of the scene because it was 133 755

13: Lehmann [illegible]

[illegible]

sitting there on the yard got up, as quickly as possible held her hands before her eyes and rushed off. This was because this man was her father-in-law. The strict social taboo in such circumstances is well known*.

The next act consisted in shaving the girl's hair on her temples by the [illegible]; the father was shaved by a younger brother of his in the same manner. (I cannot remember whether it was also the case with the mother of the girl.)

The old fashioned hut of the chief's wife.

Then the further ceremony took place again inside the hut. All the participants sat down on mats, and the [illegible] accepted the complaints of the parents on the former conduct of their daughter. Sometimes the discussion between these parties, where the [illegible] played the role of a mediator as is the case with the [illegible] (or speaker) in the court, reached such a pitch of excitement that I thought a serious quarrel had broken out. The excitement was, perhaps, only of a ceremonial character; I was told, however, that in former times corporal punishment has been inflicted, if, indeed, the girl had shown disobedience in the times before.

Next, the girl was instructed by the [illegible] in her duties as a wife. These instructions were of a theoretical or moral nature concerning the correct conduct of the girl towards her parents also after the ceremony and towards her future husband. The practical part of the initiation instructions sometimes comes before this ceremony at the end of initiation. These practical instructions cover the preparing of food

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* Cf. [illegible], p. [illegible]; [illegible], p. [illegible] (on [illegible]). According to [illegible], the daughter-in-law has to observe this taboo also towards the brothers of her father-in-law. All these persons are [illegible] [illegible].

13: Lehmann [illegible] (1951) [illegible]
Nyakyusa

After these admonitions, the mats which the girl had manufactured were inspected. During this examination it was told her that a wife should be seen in the possession of as many beautiful mats as possible, made by her for herself and for her husband. Should the girl reveal such conduct as a wife, [illegible] (happiness) would be in her lot. 591 617 285

When the proper ceremony seemed to have come to an end, another discussion followed. The girl had told the [illegible], during the above mentioned admonition, that her parents also sometimes exchanged angry words. Therefore, a new discussion between the father and the mother arose, in which also the [illegible] was the "speaker", but the other participants of the ceremony also shared in it, and the discussion too became at times heated. Still, after about 10 minutes, it suddenly came to an end, and the matter in dispute was declared settled. With this the whole ceremony ended. 321 978

6. One day I asked the chief for permission to visit his hut. He dwelt in a rectangular hut ([illegible]). A very beautiful divan (bed) was in the main room, composed of many sleeping mats ([illegible], pl. [illegible]) and of big round wooden blocks (sections of a tree-trunk), one at the head and a smaller one at the foot of the bed. Each of the four five mats which lay uppermost had a special name. All the mats rested on sticks of reed laid across beams lying on smaller poles on the floor[1]. These mats were naturally of nearly the same height as the wooden block which formed the head part of the divan. In some other old-fashioned and better houses in Nyakyusa villages, similar beds were to be seen, but generally the bedsteads are much more simple. 627 756 [245]

One of the most important permissions granted me by the chief was to enter the "store room", connected with his main room by a door. The objects to be seen here were the same as those to be found in other huts or store-rooms, e. g. the big [illegible] (baskets) for storing grain, up to four feet high, smeared over with cow-dung and clay, and smaller baskets for different purposes. In one corner hung different kinds of dancing fans ([illegible], sg.) made of hairs from the tails of bulls, with fine handles of horn. In the dark opposite corner of the same wall there seemed to hang a similar object, but it was wrapped in banana leaf. This was the real sign of the chief's dignity, the symbol of his authority and power, named [illegible]. A long discussion was needed to induce the chief to unveil it. Only by constantly [illegible] by giving the present [illegible] the chief slowly unveiled it. He told us that 911 975 642 [951] [977] [779] [795] he had received this object from his ancestors and it must always hang on this spot, as the ancestral spirits [illegible][illegible] themselves controlled its presence. It consisted of an [illegible], i. e. the tail of an ox, but the upper part of it was hollow. In this hollow part medicines [illegible][illegible] were kept. Yet another magical medicine, in the shape of a piece of bark of the tree called Erythrophloeum Guineense[illegible] was fastened at the upper end of this sign. When my European attendant immediately said to the chief: "And from this piece you make your [illegible]"[illegible], the chief exclaimed in astonishment: "[illegible] [illegible] [illegible]" ([illegible] i. e. You Europeans know everything.)

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[1] Cf. [illegible], p. 80.

[illegible]

After this there was no more delay in revealing to us some more features of this sign of dignity. According to the belief of his fellows this object possessed a special [illegible] [illegible][illegible], e. g. to deflect enemies, if the chief were to hold it directly against them. Also if a thief were to try to enter the room by force, by making a hole towards the end of this part of the hut, he would be stricken by power coming from the [illegible] and he would have the impression that eyes are directed against him, and so be driven away.

After these interesting communications I went to visit the hut of one of his wives, which still revealed the [illegible], the old-fashioned round structure of bamboo poles diverging from their upper end and thatched with grass[illegible].

8. The frequent walks in company with the chief or some of his [illegible] gave me several opportunities for enquiries. On one occasion,

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[illegible] Cf. Wilson, [illegible] [illegible]; Mackenzie, p. [illegible]: [illegible]

[illegible] Cf. Mackenzie, p. [illegible]: [illegible]

[illegible] The pharmacological substance of the bark [illegible] is the alkaloid [illegible] which produces the same [illegible] effects on the heart as the Digitalis-group [illegible]

[illegible] Cf. Wilson, Land Rights, p. [illegible]; [illegible]

[illegible]

[illegible] Cf. Fülleborn, p. [illegible]

begin later and continue till noon or beyond. The energetic ones some- 241
times hoe again for an hour or two in the late afternoon. Different crops are planted at different seasons of the year so that there is always some hoeing to be done." (G. Wilson, Introduction, p. 260).

The putting of maize-grains as seed into the earth is the women's [241
work, the sowing of millet ([illegible]) of both sexes. If you ask the men 462]
after they had come home from their work: "[illegible] ([illegible] [illegible] [illegible])?", "Whose fields did you hoe?", the answer often may be: "[illegible] ([illegible] [illegible] tata)!" We have hoed the fields of our father.

In former times, the Nyakyusa had a lot of ceremonies relating to the beginning of the hoeing season and of the beginning of the harvest- [777]
work. They are, however, nowadays nearly extinguished under the influence of European culture.

With respect to the beginning of the hoeing season, a very comprehen- 241
sive ceremony had to be carried out by the chief in community with the 643.
[illegible] (medicine men) for providing the fields with extraordinary [785]
([illegible]) power ([illegible]) [illegible] [illegible], in this case: fertility.

When the crop was ripe, it was (at first) forbidden ([illegible]) to take anything from the crop before the chief had given the permission. First the oldest male villagers informed the chief that it may be now the just time to give the crop free for the people, saying: "The people is hungry, we will now give them to eat!" Then the chief ordered that 6
or 8 (maize) corn-cobs were brought to him, and he sent these corn- [783]
cobs by a messenger to the (holy) offering-grove where they must be put down. After that has been correctly executed, he gave the permission for reaping the new crop.

(NB. It was believed that these corn-cobs put into the offering-grove were eaten especially from the leopards. The powerless bones of the [237
leopards were considered important ingredients of the consecration 825]
drink which the chief had to take at his initiation ceremonies and which should give him the strength ([illegible]) of a leopard, so that he also was called "the leopard" or "the leopard chief".)

4. *Herding the Cattle and Cleaning the Stable.* The sociological 233
importance of cattle among the Nyakyusa and the specific position among them of herding the cattle by herdboys, that is also of highly sociological importance for the structure of the Nyakyusa society, is
already described by G. Wilson (Introduction, p. 260 f.). 233

The cleaning of the stables of which the Nyakyusa possess a great 343
number of very well built ones, which have also sometimes 462
a considerable length — apart from the cattle kraals —, is the task of